

## Agency 115

# Kansas Department of Wildlife, Parks and Tourism

### Editor's Note:

The Kansas Department of Wildlife and Parks was renamed the Kansas Department of Wildlife, Parks and Tourism (KDWPT) by Executive Reorganization Order (ERO) No. 36. ERO No. 36 also transferred the powers, duties, and functions of the Division of Travel and Tourism Development within the Department of Commerce to the KDWPT. See L. 2012, Ch. 47.

### Editor's Note:

The Department of Wildlife and Parks formerly used agency numbers 23 and 33, and currently uses agency number 115. See K.S.A. 32-801 through 32-806.

Article 25 in Agency 115 fixes the seasons and establishes creel, size and possession limits for fish, and bag limits and possession limits for game birds, game and fur-bearing animals as authorized by K.S.A. 77-415. Copies of the regulations may be obtained from the Department's website, [www.kdwpt.state.ks.us](http://www.kdwpt.state.ks.us) or by contacting the Department: Secretary of Wildlife, Parks and Tourism, 1020 S. Kansas Ave, Suite 200, Topeka, KS 66612.

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### Article 1.—DEFINITIONS

**115-1-1. Definitions.** (a) Except as specified in subsection (b), the following definitions shall apply to all of the department's regulations.

(1) "Arrow" means a missile shot from a bow or a crossbow.

(2) "Bag limit" means the maximum number of any species, except fish and frogs, that may be taken by a person in a calendar day.

(3) "Bait fish" means a member of the minnow or carp family (*Cyprinidae*), sucker family (*Catostomidae*), top minnows or killifish family (*Cyprinodontidae*), shad family (*Chupeidae*), and sunfish family (*Centrarchidae*), but excluding black basses and crappie. The fish listed in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be considered as bait fish.

(4) "Bird dog" means a dog used to point, flush, or retrieve game birds, migratory birds, or both.

(5) "Bow" means a handheld device with a cord that connects both of its two ends and that is designed to propel an arrow. This term shall include long, recurve, and compound bows.

(6) "Bridle path" means an established, maintained, and marked pathway for the riding of animals.

(7) "Camping" means erecting a shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

(8) "Camping unit" means any vehicle or shelter specifically used for sleeping upon a portion of department lands or waters.

(9) "Cast net" means a circular or conical

weighted net designed to be cast mouth-downward by hand and withdrawn by lines attached to its margin.

(10) "Creel limit" means the maximum total number of any species of fish or frogs that may be taken by a person in a calendar day.

(11) "Crossbow" means a transverse-mounted bow with a cord that connects the two ends and that is designed to propel an arrow, including compound crossbows. The arrow is released by a mechanical trigger.

(12) "Culling" means replacing one live fish held by an angler for another live fish of the same species if the daily creel limit for that species of fish has not been met.

(13) "Department lands and waters" means state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites, and other lands, waters, and facilities that are under the jurisdiction and control of the secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

(14) "Depth finder" means an electronic device used to locate fish or determine underwater structures.

(15) "Dip net" means a handheld net that has rigid support about the mouth and is used to land fish.

(16) "Draft livestock" means horses, mules, donkeys, and oxen used singly or in tandem with other horses, mules, donkeys, and oxen for pulling purposes.

(17) "Drag event" means a competitive event in which hounds pursue a scent trail. The event may involve a caged, pen-raised furbearer that is not released from the cage during the event.

(18) "Dryland set" means any trapping device that is placed or set on land or is not in contact with water.

(19) "Eyass" means a young of the year raptor not yet capable of flight.

(20) "Falconer" means the holder of a falconry permit.

(21) "Falconry" means the taking of wildlife with a trained raptor.

(22) "Field trial event for dogs" means a competitive event involving at least six dogs that are judged on hunting or running ability.

(23) "Firearm" means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.

(24) "Fire ring" means an open-topped, man-made, fire-retaining device.

(25) "Fireplace" means an enclosed, man-made, fire-retaining device.

(26) "Fishing line" means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.

(27) "Fish trap" means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.

(28) "Fully automatic firearm" means a firearm capable of firing more than one round with a single trigger pull.

(29) "Gaff" means a hook attached to a rigid pole.

(30) "Gig" means a hand-operated spear with one or more prongs with or without barbs.

(31) "Group camping area" means any area within a state park designated by posted notice for camping by organized groups.

(32) "Haggard" means an adult raptor in mature plumage.

(33) "Hook" means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

(34) "Imping" means the repair of damaged feathers.

(35) "Kill site" means the location of the wildlife carcass as positioned in the field immediately after being harvested.

(36) "Length limit" means the minimum length of a fish allowed in order to take it and not release it to the waters immediately. For the purpose of this paragraph, the length of the fish shall be measured from the tip of the snout to the end of the tail, with the mouth closed and the tail lobes pressed together.

(37) "Moorage site" means a location designated for the fastening or securing of a vessel.

(38) "Nonsport fish" means carp, drum, white amur, threadfin and gizzard shad, goldfish, gar, suckers including carsuckers and buffalo, eel, sturgeon, goldeye, white perch, and bowfin.

(39) "Orthopedic device" means a device that attaches to the body and is required to enable a handicapped person to walk.

(40) "Overflow camping area" means an area in a state park that is separate from the designated overnight camping area and that may be used for a maximum of 24 continuous hours of camping if

no alternative camping facilities are available within reasonable driving distances.

(41) "Passage" means an immature raptor on first fall migration still in immature plumage.

(42) "Pen-raised wildlife" means any wildlife raised in captivity.

(43) "Pets" means domesticated wildlife, including dogs and cats.

(44) "Possession limit" means the maximum total number of a species that can be retained per person at any one time.

(45) "Prime camping site" means any site within a state park so designated by posted notice of the secretary and subject to an additional charge.

(46) "Raptors" means members of the order Falconiformes or Strigiformes and specifically falcons, hawks, and owls.

(47) "Raw pelt" means the undressed skin of an animal with its hair, wool, or fur in its natural state, without having undergone any chemical preservation converting the skin to a leather condition.

(48) "Recreational vehicle" means a vehicle or trailer unit that contains sleeping or housekeeping accommodations, or both.

(49) "Running" means the pursuing or chasing of furbearers or rabbits with hounds. This term shall not include the capturing, killing, injuring, or possessing of furbearers or rabbits, or having a firearm or other weapon in possession while running, except during established furbearer or rabbit hunting seasons.

(50) "Sanctioned or licensed coyote field trial" means a competitive event that involves only sight or trail hounds and that has been advertised in one of the national foxhound journals at least 30 days before the event.

(51) "Sanctioned or licensed furbearer field trial" means a competitive event in which dogs pursue unrestrained furbearers and that is sanctioned or licensed by any of the national kennel or field dog organizations for the express purpose of improving the quality of the breed through the awarding of points or credits toward specific class championships or other national recognition.

(52) "Seine" means a net with a float line and lead line designed to be pulled through the water for the purpose of catching fish.

(53) "Set line" means a string or cord that is anchored at one point, does not have more than two hooks, and is not associated with a hand-operated mechanical reel.

(54) "Sight hound" means a dog used to pursue furbearers, rabbits, hares, or coyotes by sight.

(55) "Skin and scuba diving" means swimming or diving while equipped with a face mask or goggles, allowing underwater vision and possibly involving an underwater breathing apparatus.

(56) "Snagging" means the hooking of a fish in any part of its anatomy other than the inside of the mouth.

(57) "Speargun" means a device used to propel a spear through the water by mechanical means or compressed gas.

(58) "Sport fish" means northern pike, walleye, saugeye, sauger, yellow perch, striped bass, white bass, black bass including largemouth, spotted, and smallmouth bass, striped bass hybrid, trout, muskellunge, tiger muskie, channel catfish, blue catfish, flathead catfish, paddlefish, and panfish including bullhead, black and white crappie, bluegill, redear sunfish, green sunfish, warmouth, and rock bass.

(59) "State fishing lake" means a department facility that contains the words "state fishing lake" in the name of the area.

(60) "Tip-up" means an ice fishing device designed to signal the strike of a fish.

(61) "Trail hound" means a dog used to trail furbearers, rabbits, hares, or coyotes by scent.

(62) "Transfer" means any of the following:

(A) To reassign one's license, permit, or other issue of the department to another individual;

(B) to exchange any license, permit, or other issue of the department between individuals; or

(C) to carry another individual's license, permit, or other issue of the department when that individual is not present.

(63) "Trot line" means a string or cord anchored at one or more points that does not have more than 25 hooks and is not associated with a hand-operated mechanical reel.

(64) "Turkey" means wild turkey.

(65) "Unattended fishing line" means any fishing line set to catch fish that is not marked or tagged as required by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immediately attended by the operator of the fishing line.

(66) "Wake" means the waves thrown by a vessel moving on water.

(67) "Water race" means a competitive event in which hounds pursue a scent device or a caged, pen-raised furbearer through water. The furbearer is not released during the event.

(68) "Water set" means any trapping device

that has the gripping portion at least half-submerged when placed or set in flowing or pooled water and remains at least half-submerged in contact with the flowing or pooled water.

(b) Exceptions to the definitions in this regulation shall include the following:

(1) The context requires a different definition.

(2) The defined term is specifically defined differently within the department's other regulations. (Authorized by and implementing K.S.A. 32-807; effective Dec. 26, 1989; amended June 8, 1992; amended Sept. 19, 1997; amended Nov. 21, 2003; amended July 22, 2011.)

## Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

**115-2-1. Amount of fees.** The following fees shall be in effect for the following licenses, permits, and other issues of the department: (a) Hunting licenses and permits.

(1) Resident hunting license .....	\$18.00
(2) Resident hunting license (one-time purchase, valid from 16 years of age through 20 years of age) .....	40.00
(3) Nonresident hunting license .....	70.00
(4) Nonresident junior hunting license (under 16 years of age) .....	35.00
(5) Resident big game hunting permit:	
General resident: either-sex elk permit .....	250.00
General resident: antlerless-only elk permit .....	100.00
General resident youth (under 16 years of age): either-sex elk permit .....	125.00
General resident youth (under 16 years of age): antlerless-only elk permit .....	50.00
Landowner/tenant: either-sex elk permit .....	125.00
Landowner/tenant: antlerless-only elk permit .....	50.00
Hunt-on-your-own-land: either-sex elk permit .....	125.00
Hunt-on-your-own-land: antlerless-only elk permit .....	50.00
General resident: deer permit .....	30.00
General resident youth (under 16 years of age):	
deer permit .....	15.00
General resident: antlerless-only deer permit .....	15.00
General resident youth (under 16 years of age): antlerless-only deer permit .....	7.50
Landowner/tenant: deer permit .....	15.00
Hunt-on-your-own-land: deer permit .....	15.00
Special hunt-on-your-own-land: deer permit .....	30.00
General resident: antelope permit .....	40.00
General resident youth (under 16 years of age): antelope permit .....	20.00
Landowner/tenant: antelope permit .....	20.00
Hunt-on-your-own-land: antelope permit .....	20.00
Antelope preference point service charge ...	5.00
Any-deer preference point service charge ...	5.00
Application fee for elk permit .....	5.00
(6) Wild turkey permit:	
General resident: turkey permit (1-bird limit) .....	20.00

General resident youth (under 16 years of age): turkey permit (1-bird limit) .....	10.00
Landowner/tenant: turkey permit (1-bird limit) .....	10.00
Nonresident: turkey permit (1-bird limit) ....	30.00
Resident: turkey preference point service charge .....	5.00
(7) Wild turkey game tag:	
Resident: turkey game tag (1-bird limit) ....	10.00
Nonresident: turkey game tag (1-bird limit) .....	20.00
(8) Spring wild turkey permit and game tag combination (2-bird limit, must be purchased before April 1 of year of use):	
General resident: turkey permit and game tag combination (2-bird limit) .....	25.00
General resident youth (under 16 years of age): turkey permit and game tag combination (2-bird limit) .....	15.00
Landowner/tenant: turkey permit and game tag combination (2-bird limit) .....	15.00
Nonresident: turkey permit and game tag combination (2-bird limit) .....	45.00
(9) Nonresident big game hunting permit:	
Nonresident hunt-on-your-own-land: deer permit .....	75.00
Nonresident: deer permit (antlered deer) ...	300.00
Nonresident: deer permit (antlerless only) ...	50.00
Nonresident: antelope permit (archery only) .....	200.00
Nonresident: deer permit application fee ....	20.00
Nonresident: mule deer stamp .....	100.00
(10) 48-hour waterfowl hunting permit .....	25.00
(11) Field trial permit: game birds .....	20.00
(12) Lifetime hunting license .....	440.00
or eight quarterly installment payments of ...	60.00
(13) Migratory waterfowl habitat stamp .....	5.00
(14) Special dark goose hunting permit .....	5.00
(15) Sandhill crane hunting permit: validation fee .....	5.00
(16) Disabled person hunt-from-a-vehicle permit .....	0

### (b) Fishing licenses and permits.

Resident fishing license .....	18.00
Resident fishing license (one-time purchase, valid from 16 years of age through 20 years of age) ..	40.00
Nonresident fishing license .....	40.00
24-hour fishing license .....	3.00
Three-pole permit .....	4.00
Tournament bass pass .....	10.00
Paddlefish permit (six carcass tags) .....	10.00
Paddlefish permit youth (under 16 years of age) (six carcass tags) .....	5.00
Hand fishing permit .....	25.00
Floatline fishing permit .....	0
Lifetime fishing license .....	440.00
or eight quarterly installment payments of .....	60.00
Five-day nonresident fishing license .....	20.00
Institutional group fishing license .....	100.00
Special nonprofit group fishing license .....	50.00
Trout permit .....	10.00

### (c) Combination hunting and fishing licenses and permits.

Resident combination hunting and fishing license .....	36.00
Resident combination hunting and fishing license (one-time purchase, valid from 16 years of age through 20 years of age) .....	70.00

Resident lifetime combination hunting and fishing license .....	880.00
or eight quarterly installment payments of .....	120.00
Nonresident combination hunting and fishing license .....	110.00

## (d) Furharvester licenses.

Resident furharvester license .....	18.00
Resident junior furharvester license .....	10.00
Lifetime furharvester license .....	440.00
or eight quarterly installment payments of .....	60.00
Nonresident furharvester license .....	250.00
Nonresident bobcat permit (1-bobcat limit per permit) .....	100.00
Resident fur dealer license .....	100.00
Nonresident fur dealer license .....	400.00
Field trial permit: furbearing animals .....	20.00

## (e) Commercial licenses and permits.

Controlled shooting area hunting license .....	15.00
Resident mussel fishing license .....	75.00
Nonresident mussel fishing license .....	1,000.00
Mussel dealer permit .....	200.00
Missouri river fishing permit .....	25.00
Game breeder permit .....	10.00
Controlled shooting area operator license .....	200.00
Commercial dog training permit .....	20.00
Commercial fish bait permit .....	20.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license) .....	20.00
Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or exempt from this license requirement) .....	5.00
Commercial prairie rattlesnake dealer permit .....	50.00
Prairie rattlesnake round-up event permit .....	25.00

## (f) Collection, scientific, importation, rehabilitation, and damage-control permits.

Scientific, educational, or exhibition permit .....	10.00
Raptor propagation permit .....	0
Rehabilitation permit .....	0
Wildlife damage-control permit .....	0
Wildlife importation permit .....	10.00
Threatened or endangered species: special permits .....	0

## (g) Falconry.

Apprentice permit .....	75.00
General permit .....	75.00
Master permit .....	75.00
Testing fee .....	50.00

## (h) Miscellaneous fees.

Duplicate license, permit, stamp, and other issues of the department .....	10.00
Special departmental services, materials, or supplies .....	At cost
Vendor bond	
For bond amounts of \$5,000.00 and less .....	50.00
For bond amounts of more than \$5,000.00 ....	50.00
plus \$6.00 per additional \$1,000.00 coverage or any fraction thereof.	

This regulation shall be effective on and after January 1, 2011. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 2009 Supp. 32-988;

effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005; amended Jan. 1, 2006; amended May 1, 2006; amended Jan. 1, 2007; amended Jan. 1, 2008; amended Jan. 1, 2009; amended Jan. 1, 2010; amended Aug. 1, 2010; amended Jan. 1, 2011.)

**115-2-2. Motor vehicle permit fees.** (a)

The following motor vehicle permit fees shall be in effect for state parks and for other areas requiring a motor vehicle permit:

April 1 through September 30:

One-day temporary motor vehicle permit .....	\$2.70
Annual motor vehicle permit .....	22.20

October 1 through March 31:

One-day temporary motor vehicle permit .....	\$2.20
Annual motor vehicle permit .....	17.20

(b) Each one-day temporary motor vehicle permit shall expire at 2:00 p.m. on the day following its effective date.

(c) Annual motor vehicle permits shall not be valid during designated special events.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-901; effective Jan. 22, 1990; amended Oct. 12, 1992; amended Aug. 21, 1995; amended Jan. 1, 2001; amended Jan. 1, 2003; amended Jan. 1, 2005; amended Jan. 1, 2007; amended April 8, 2011; amended Jan. 1, 2012.)

**115-2-3. Camping, utility, and other fees.** (a)

Each overnight camping permit shall be valid only for the state park for which it is purchased and shall expire at 2:00 p.m. on the day following its effective date.

(b) Any annual camping permit may be used in any state park for unlimited overnight camping, subject to other laws and regulations of the secretary. This permit shall expire on December 31 of the year for which it is issued.

(c) Any 14-night camping permit may be used in any state park. This permit shall expire when the permit has been used a total of 14 nights, or on December 31 of the year for which it is issued, whichever is first.

(d) Camping permits shall not be transferable.

(e) The fee for a designated prime camping area



permit shall be in addition to the overnight, annual, 14-night, or other camping permit fee, and shall apply on a nightly basis.

(f) Fees shall be due at the time of campsite occupancy and by noon of any subsequent days of campsite occupancy.

(g) Fees set by this regulation shall be in addition to any required motor vehicle permit fee specified in K.A.R. 115-2-2.

(h) The following fees shall be in effect for state parks and for other designated areas for which camping and utility fees are required:

Camping—per camping unit (April 1 through September 30):

Annual camping permit .....	\$200.00
Overnight camping permit .....	7.00
14-night camping permit .....	99.00
Prime camping area permit .....	2.00

Camping—per camping unit (October 1 through March 31):

Annual camping permit .....	150.00
Overnight camping permit .....	6.00
14-night camping permit .....	85.00
Overflow primitive camping permit, per night .....	5.00

Recreational vehicle long-term camping permit, except for El Dorado, Milford, and Tuttle Creek State Parks (includes utilities)—per month, per unit (annual camping permit and annual vehicle permit required):

One utility .....	240.00
Two utilities .....	300.00
Three utilities .....	360.00

Recreational vehicle long-term camping permit for El Dorado, Milford, and Tuttle Creek State Parks (includes utilities)—per month, per unit (annual camping permit and annual vehicle permit required):

One utility .....	280.00
Two utilities .....	340.00
Three utilities .....	400.00

Recreational vehicle short-term parking—per month

125.00
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Utilities—electricity, water, and sewer hookup per night, per unit:

One utility .....	7.50
Two utilities .....	9.50
Three utilities .....	10.50

Youth group camping permit in designated areas, per camping unit—per night

2.50
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Group camping permit in designated areas, per person—per night

1.50
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Reservation fee, per reservation (camping, special use, or day use)

10.00
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Rent-a-camp: equipment rental per camping unit—per night .....	15.00
Duplicate permit .....	10.00
Special event permit negotiated based on event type, required services, and lost revenue—maximum .....	200.00

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 2010 Supp. 32-988; effective Jan. 22, 1990; amended Jan. 28, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended Aug. 21, 1995; amended Sept. 19, 1997; amended Jan. 1, 1999; amended Jan. 1, 2001; amended Jan. 1, 2003; amended Jan. 1, 2005; amended Jan. 1, 2009; amended Jan. 1, 2011; amended April 8, 2011; amended Jan. 1, 2012.)

**115-2-3a.** This regulation shall be revoked on and after September 15, 2011. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 2009 Supp. 32-988; effective Jan. 1, 2005; amended Jan. 1, 2007; amended July 25, 2007; amended Jan. 1, 2008; amended May 16, 2008; amended Dec. 1, 2008; amended Nov. 20, 2009; amended Jan. 1, 2011; revoked Sept. 15, 2011.)

#### Article 4.—BIG GAME

**115-4-2. Big game and wild turkey; general provisions.** (a) Possession.

(1) Each permittee shall sign, record the county, the date, and the time of kill, and attach the carcass tag to the carcass immediately following the kill and before moving the carcass from the site of the kill. Except for a wild turkey or big game animal taken with an “either sex” permit, the beard of the wild turkey or the head of the big game animal shall remain naturally attached to the carcass while in transit from the site of the kill to the permittee’s residence or to a place of processing or preservation, unless the carcass has been tagged with a department check station tag or the permittee has obtained a transportation confirmation number after electronically registering the permittee’s deer on the department’s electronic registration site. “Electronically registering” shall mean submitting any necessary and relevant information and digital photographs of the deer head and of the completed carcass tag of sufficient clarity to display the species and antler class of the deer and the transaction number and signature on a completed carcass tag. The carcass tag shall remain attached to the carcass until the animal is processed for consumption. The permittee shall

retain the carcass tag until the animal is consumed, given to another, or otherwise disposed of.

(2) Any legally acquired big game or wild turkey meat may be given to and possessed by another, if a dated written notice that includes the donor's printed name, signature, address, and permit number accompanies the meat. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of.

(3) Any person may possess a salvaged big game or wild turkey carcass if a department salvage tag issued to the person obtaining the carcass is affixed to the carcass. The salvage tag shall be retained as provided in paragraph (a)(1). Big game or wild turkey meat may be donated as specified in paragraph (a)(2) using the salvage tag number. Each salvage tag report prepared by the department agent issuing the tag shall be signed by the individual receiving the salvaged big game or wild turkey carcass. Each salvage tag shall include the following information:

(A) The name and address of the person to whom the tag is issued;

(B) the salvage tag number;

(C) the species and sex of each animal for which the tag is issued;

(D) the location and the date, time, and cause of death of each animal; and

(E) the date of issuance and the signature of the department agent issuing the salvage tag.

(b) Big game and wild turkey permits and game tags.

(1) A permit or game tag purchased during the open season shall not be valid until the next calendar day.

(2) Big game and wild turkey permits and game tags shall not be transferred to another person, unless otherwise authorized by law or regulation.

(3) Removal of the carcass tag from the permit or game tag shall invalidate the permit or game tag for hunting, unless otherwise authorized by law or regulation.

(4) In addition to other penalties prescribed by law, each big game and wild turkey permit or game tag shall be invalid from the date of issuance if obtained by an individual under any of these conditions:

(A) Through false representation;

(B) through misrepresentation; or

(C) in excess of the number of permits or game tags authorized by regulations for that big game species or wild turkey.

(c) Hunting assistance. Subject to the hunting license requirements of K.S.A. 32-919 and amendments thereto, the license requirements of the implementing regulations, and the provisions of paragraphs (c)(1), (c)(2), and (c)(3), any individual may assist any holder of a big game or wild turkey permit or game tag during the permittee's big game or wild turkey hunting activity. This assistance may include herding or driving.

(1) An individual assisting the holder of a big game or wild turkey permit or game tag shall not perform the actual shooting of big game or wild turkey for the permittee, unless authorized by K.A.R. 115-18-15. However, a permittee who is, because of disability, unable to pursue a wounded big game animal or wild turkey may designate any individual to assist in pursuing and dispatching a big game animal or wild turkey wounded by the disabled permittee.

(2) The designated individual shall carry the disabled permittee's big game or wild turkey permit or game tag and shall attach the carcass tag to the carcass immediately after the kill and before leaving the site of the kill.

(3) The designated individual shall use only the type of equipment authorized for use by the disabled permittee. (Authorized by K.S.A. 32-807, K.S.A. 2008 Supp. 32-937, K.S.A. 2008 Supp. 32-969; implementing K.S.A. 32-807, K.S.A. 2008 Supp. 32-937, K.S.A. 2008 Supp. 32-969, K.S.A. 2008 Supp. 32-1001, K.S.A. 2008 Supp. 32-1002, and K.S.A. 2008 Supp. 32-1004; effective June 1, 2001; amended April 22, 2005; amended April 16, 2010.)

**115-4-4. Big game; legal equipment and taking methods.** (a) Hunting equipment for the taking of big game during a big game archery season shall consist of the following:

(1) Archery equipment.

(A) Each bow shall be hand-drawn.

(B) No bow shall have a mechanical device that locks the bow at full or partial draw.

(C) Each bow shall be designed to shoot only one arrow at a time.

(D) No bow shall have any electronic device attached to the bow or arrow, with the exception of lighted pin, dot, holographic sights, or illuminated nocks.

(E) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big

game hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take big game animals.

(F) No bow with less than 50 pounds of draw weight shall be used to archery hunt for elk.

(2) Crossbows and locking draws as authorized under K.A.R. 115-18-7.

(b) Hunting equipment for the taking of big game during a big game muzzleloader-only season shall consist of the following:

(1) Archery equipment as authorized in subsection (a);

(2) muzzleloading rifles and muskets that can be loaded only through the front of the firing chamber with separate components and that fire a bullet of .39 inches in diameter or larger, except for the hunting of elk, which shall require a bullet of .49 inches in diameter or larger; and

(3) single barrel muzzleloading pistols .45 caliber or larger that have a barrel length of 10 inches or greater and can be loaded only through the front of the barrel with separate components, except for the hunting of elk, which shall require a bullet of .49 inches in diameter or larger. Only hard-cast solid lead, conical lead, or sabot bullets shall be used with muzzleloading pistols.

(c) Hunting equipment for the taking of big game during a big game firearm season shall consist of the following:

(1) Archery equipment as authorized in subsection (a);

(2) muzzleloader-only season equipment as authorized in subsection (b);

(3) centerfire rifles and handguns that are not fully automatic, that fire a bullet larger than .23 inches in diameter, and that use a cartridge case that is 1.280 inches or more in length, while using only hard-cast solid lead, soft point, hollow point, or other expanding bullets, except for the hunting of elk, which shall require a bullet larger than .25 inches in diameter and a cartridge case that is 1.75 inches or more in length;

(4) shotguns using only slugs of 20 gauge or larger, except that the hunting of elk shall require a slug of 12 gauge or larger; and

(5) crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A big game hunter using archery equipment may possess non-broadhead-tipped arrows

while hunting if the arrows are not used to take or attempt to take big game animals.

(d) Accessory equipment.

(1) Each individual hunting deer or elk during a firearms deer or elk season and each individual assisting an individual hunting deer or elk as authorized by K.A.R. 115-4-2 or K.A.R. 115-18-15 during a firearms deer or elk season shall wear clothing of a bright orange color having a predominant light wavelength of 595-605 nanometers, commonly referred to as daylight fluorescent orange, hunter orange, blaze orange, or safety orange. This bright orange color shall be worn as follows:

(A) A hat with the exterior of not less than 50 percent of the bright orange color, an equal portion of which is visible from all directions; and

(B) a minimum of 100 square inches of the bright orange color that is on the front of the torso and is visible from the front and a minimum of 100 square inches that is on the rear of the torso and is visible from the rear.

(2) Nonelectric calls, lures, and decoys, except live decoys, shall be legal while hunting big game.

(3) Any individual may use blinds and stands while hunting big game.

(4) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light may be used.

(5) Any range-finding device, if the device does not project visible light toward the target, may be used.

(6) Devices capable of dispensing chemicals to take big game animals shall not be used.

(e) Big game permittees shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive big game permit in possession while hunting.

(f) Shooting hours for deer, antelope, and elk during each day of any deer, antelope, or elk hunting season shall be from one-half hour before sunrise to one-half hour after sunset.

(g) Horses and mules may be used while hunting big game, except that horses and mules shall not be used for herding or driving elk. (Authorized by K.S.A. 32-807 and K.S.A. 2009 Supp. 32-937; implementing K.S.A. 32-807, K.S.A. 2009 Supp. 32-937, K.S.A. 2009 Supp. 32-1002, and K.S.A. 32-1015; effective June 1, 2001; amended April 19, 2002; amended April 22, 2005; amended June 2, 2006; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010.)



**115-4-4a. Wild turkey; legal equipment and taking methods.** (a) Hunting equipment for the taking of wild turkey during a wild turkey archery season shall consist of the following:

- (1) Archery equipment.
  - (A) Each bow shall be hand-drawn.
  - (B) No bow shall have a mechanical device that locks the bow at full or partial draw.
  - (C) Each bow shall be designed to shoot only one arrow at a time.
  - (D) No bow shall have any electronic device attached to the bow or arrow, with the exception of lighted pin, dot, holographic sights, or illuminated nocks.
  - (E) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(2) Crossbows and locking draws as authorized under K.A.R. 115-18-7.

(b) Hunting equipment for the taking of wild turkey during a wild turkey firearm season shall consist of the following:

- (1) Archery equipment as authorized in subsection (a);
- (2) shotguns and muzzleloading shotguns not less than 20 gauge and using only size two shot through size nine shot; and
- (3) only during the spring wild turkey firearm season, crossbows of not less than 125 pounds of draw weight, using arrows not less than 16 inches in length that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall consist of the following:

- (1) Nonelectric calls, lures, and decoys, except live decoys;
- (2) blinds and stands;
- (3) range-finding devices, if the devices do not project visible light toward the target; and
- (4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light.

(d) Each wild turkey permittee shall possess hunting equipment while hunting only as authorized by this regulation and by the most restrictive wild turkey permit or game tag in possession while hunting.

(e) Shooting hours for wild turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.

(f) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.

(g) Dogs may be used while hunting turkey, but only during the fall turkey season. (Authorized by K.S.A. 32-807 and K.S.A. 2009 Supp. 32-969; implementing K.S.A. 32-807, K.S.A. 2009 Supp. 32-969, and K.S.A. 2009 Supp. 32-1002; effective April 22, 2005; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010.)

**115-4-6. Deer; management units.** Each of the following subsections shall designate a deer management unit: (a) High Plains; unit 1: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-283 to its junction with interstate highway I-70, then west on interstate highway I-70 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(b) Smoky Hill; unit 2: that part of Kansas bounded by a line from the Colorado-Kansas state line east on interstate highway I-70 to its junction with state highway K-147, then south on state highway K-147 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-83, then south on federal highway US-83 to its junction with state highway K-96, then west on state highway K-96 to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with interstate highway I-70, except federal and state sanctuaries.

(c) Kirwin-Webster; unit 3: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on state highway K-8 to its junction with federal highway US-36, then east on federal highway US-36 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with

federal highway US-283, then north on federal highway US-283 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with state highway K-8, except federal and state sanctuaries.

(d) Kanopolis; unit 4: that part of Kansas bounded by a line from the interstate highway I-70 and state highway K-147 junction, then east on interstate highway I-70 to its junction with federal highway US-81, then south on federal highway US-81 to its junction with state highway K-4, then west on state highway K-4 to its junction with state highway K-147, then north on state highway K-147 to its junction with interstate highway I-70, except federal and state sanctuaries.

Smoky Hill Air National Guard Range; subunit 4a. The following described area shall be designated a subunit of unit 4, and, with approval of air national guard command, the area shall be open for the taking of deer during the firearm season: United States government land lying entirely within the boundaries of the Smoky Hill Air National Guard Range. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by the air national guard.

(e) Pawnee; unit 5: that part of Kansas bounded by a line from the state highway K-4 and state highway K-14 junction, then south on state highway K-14 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with federal highway US-183, then northeast and north on federal highway US-183 to its junction with federal highway US-156, then west on federal highway US-156 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with state highway K-4, then east on state highway K-4 to its junction with state highway K-14, except federal and state sanctuaries.

(f) Middle Arkansas; unit 6: that part of Kansas bounded by a line from the state highway K-4 and federal highway US-77 junction, then south on federal highway US-77 to its junction with federal highway US-50, then west on federal highway US-50 to its junction with state highway K-14, then north on state highway K-14 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-77, except federal and state sanctuaries.

(g) Solomon; unit 7: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-81 to its junction

with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-36, then west on federal highway US-36 to its junction with state highway K-8, then north on state highway K-8 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries.

(h) Republican; unit 8: that part of Kansas bounded by a line from the Nebraska-Kansas state line south on federal highway US-77 to its junction with federal highway US-24, then south on federal highway US-24 to its junction with state highway K-177, then south on state highway K-177 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-4, then west on state highway K-4 to its junction with federal highway US-81, then north on federal highway US-81 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-77, except federal and state sanctuaries.

Fort Riley; subunit 8a. The following described area shall be designated a subunit of unit 8, and, with approval of Fort Riley command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Riley military reservation. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by Fort Riley.

(i) Tuttle Creek; unit 9: that part of Kansas bounded by a line from the Nebraska-Kansas state line, south on federal highway US-75 to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with state highway K-177, then north on state highway K-177 to its junction with federal highway US-24, then north on federal highway US-24 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with the Nebraska-Kansas state line, then east along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries.

(j) Kaw; unit 10: that part of Kansas bounded

by a line from the Nebraska-Kansas state line south on federal highway US-75 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with state highway K-150, then east on state highway K-150 to the Missouri-Kansas state line, then north along the Missouri-Kansas state line to its junction with the Nebraska-Kansas state line, then west along the Nebraska-Kansas state line to its junction with federal highway US-75, except federal and state sanctuaries.

Fort Leavenworth urban; subunit 10a. The following described area shall be designated a subunit of unit 10, and, with approval of Fort Leavenworth command, the area shall be open for the taking of deer during the firearm deer season: United States government land lying entirely within the boundaries of the Fort Leavenworth military reservation. Each person hunting in this subunit during the firearm deer season shall be in possession of any permits and licenses required by Fort Leavenworth.

(k) Osage Prairie; unit 11: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with interstate highway I-35, then northeast on interstate highway I-35 to its junction with state highway K-150, then east on state highway K-150 to its junction with the Missouri-Kansas state line, then south along the Missouri-Kansas state line to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-169, except federal and state sanctuaries.

(l) Chautauqua Hills; unit 12: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-169 to its junction with state highway K-47, then west on state highway K-47 to its junction with federal highway US-75, then north on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with state highway K-15, then east and south on state highway K-15 to its junction with the Oklahoma-Kansas state line, then east along the Oklahoma-Kansas state line to its junction

with federal highway US-169, except federal and state sanctuaries.

(m) Lower Arkansas; unit 13: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-81 to its junction with state highway K-53, then east on state highway K-53 to its junction with state highway K-15, then southeasterly on state highway K-15 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-81, except federal and state sanctuaries.

(n) Flint Hills; unit 14: that part of Kansas bounded by a line from the junction of interstate highway I-70 and federal highway US-75, then south on federal highway US-75 to its junction with federal highway US-54, then west on federal highway US-54 to its junction with state highway K-99, then south on state highway K-99 to its junction with federal highway US-160, then west on federal highway US-160 to its junction with federal highway US-77, then north on federal highway US-77 to its junction with interstate highway I-70, then east on interstate highway I-70 to its junction with federal highway US-75, except federal and state sanctuaries.

(o) Ninnescah; unit 15: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on state highway K-179 to its junction with state highway K-14, then continuing north on state highway K-14 to its junction with state highway K-42, then west on state highway K-42 to its junction with federal highway US-281, then north on federal highway US-281 to its junction with federal highway US-50, then east on federal highway US-50 to its junction with federal highway US-77, then south on federal highway US-77 to its junction with state highway K-15, then west and northwest on state highway K-15 to its junction with state highway K-53, then west on state highway K-53 to its junction with federal highway US-81, then south on federal highway US-81 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with state highway K-179, except federal and state sanctuaries.

(p) Red Hills; unit 16: that part of Kansas bounded by a line from the Oklahoma-Kansas state line north on federal highway US-283 to its junction with federal highway US-54, then east on federal highway US-54 to its junction with federal highway US-183, then north on federal highway US-183 to its junction with federal highway US-

50, then east on federal highway US-50 to its junction with federal highway US-281, then south on federal highway US-281 to its junction with state highway K-42, then east on state highway K-42 to its junction with state highway K-14, then south on state highway K-14 to its junction with state highway K-179, then south on state highway K-179 to the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with federal highway US-283, except federal and state sanctuaries.

(q) West Arkansas; unit 17: that part of Kansas bounded by a line from the Colorado-Kansas state line east on state highway K-96 to its junction with federal highway US-83, then north on federal highway US-83 to its junction with state highway K-4, then east on state highway K-4 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with federal highway US-156, then east on federal highway US-156 to its junction with federal highway US-183, then south on federal highway US-183 to its junction with federal highway US-54, then southwest on federal highway US-54 to its junction with federal highway US-283, then north on federal highway US-283 to its junction with federal highway US-56, then southwest on federal highway US-56 to its junction with state highway K-144, then west on state highway K-144 to its junction with federal highway US-160, then continuing west on federal highway US-160 to the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with state highway K-96, except federal and state sanctuaries.

(r) Cimarron; unit 18: that part of Kansas bounded by a line from the Colorado-Kansas state line east on federal highway US-160 to its junction with state highway K-144, then east on state highway K-144 to its junction with federal highway US-56, then east on federal highway US-56 to its junction with federal highway US-283, then south on federal highway US-283 to its junction with the Oklahoma-Kansas state line, then west along the Oklahoma-Kansas state line to its junction with the Colorado-Kansas state line, then north along the Colorado-Kansas state line to its junction with federal highway US-160, except federal and state sanctuaries.

(s) Kansas City urban; unit 19: that part of Kansas bounded by a line from the Missouri-Kansas state line west on Johnson County 199 Street to its junction with federal highway US-56, then west on federal highway US-56 to its junction with

South Topeka Boulevard, then north on South Topeka Boulevard to its junction with Shawnee County SW 93 Road, then west on Shawnee County SW 93 Road to its junction with Shawnee County SW Auburn Road, then north on Shawnee County SW Auburn Road to its junction with interstate highway I-70, then west on interstate highway I-70 to its junction with Carlson-Rossville Road, then north on Carlson-Rossville Road to its junction with federal highway US-24, then southeast on federal highway US-24 to its junction with Shawnee County NW Humphrey Road, then north on Shawnee County NW Humphrey Road to its junction with Shawnee County NW 46 Street, then east on Shawnee County NW 46 Street to its junction with Shawnee County NW Landon Road, then north on Shawnee County NW Landon Road to its junction with Shawnee County NW 62 Street, then east on Shawnee County NW 62 Street to its junction with Jefferson County Clark Road, then south on Jefferson County Clark Road to its junction with Jefferson County 50 Road, then east on Jefferson County 50 Road to state highway K-237, then south on state highway K-237 to its junction with federal highway US-24, then east on federal highway US-24 to its junction with Tonganoxie Drive, then northeast on Tonganoxie Drive to its junction with Leavenworth County 187 Street, then north on Leavenworth County 187 Street to its junction with state highway K-92, then west on state highway K-92 to its junction with Leavenworth County 207 Street, then north on Leavenworth County 207 Street to its junction with state highway K-192, then northeast on state highway K-192 to its junction with federal highway US-73, then east on federal highway US-73 to the Missouri-Kansas state line, then south on the Missouri-Kansas state line to Johnson County 199 Street, except federal and state sanctuaries and department-owned or -managed properties. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2008 Supp. 32-937; effective April 30, 1990; amended June 8, 1992; amended June 1, 1993; amended June 13, 1994; amended May 30, 1995; amended June 6, 1997; amended July 21, 2000; amended April 18, 2003; amended July 25, 2003; amended Feb. 18, 2005; amended April 14, 2006; amended Feb. 8, 2008; amended April 16, 2010.)

**115-4-6b. Elk; management units.** Each of the following subsections shall designate an elk management unit: (a) Cimarron; unit 1: that part



of Kansas bounded by a line from the Oklahoma-Kansas state line north on county road CR-24 to its junction with state highway K-51, then north on state highway K-51 to its junction with road U, then west on state highway K-51 to its junction with road 9, then north on road 9 to its junction with road V, then west on road V to its junction with the Colorado-Kansas state line, then south along the Colorado-Kansas border to its junction with the Oklahoma-Kansas border, and then east along the Oklahoma-Kansas border to its junction with county road CR-24, except federal and state sanctuaries.

(b) Republican-Tuttle; unit 2: That part of Kansas bounded by a line from the federal highway US-77 and interstate highway I-70 junction, then northeast along interstate highway I-70 to its junction with state highway K-177, then north on state highway K-177 to its junction with state highway K-13, then northeast on state highway K-13 to its junction with the Pottawatomie-Riley county line, then north along the Pottawatomie-Riley county line to its junction with state highway K-16, then west on state highway K-16 to its junction with 22nd road, then west along 22nd road to its junction with state highway 15, then south along state highway K-15 to its junction with state highway K-18, then east on state highway K-18 to its junction with state highway K-77, and then south along state highway K-77 to its junction with interstate highway I-70, except federal and state sanctuaries.

Fort Riley; subunit 2a: The following described area shall be designated a subunit of unit 2, and, with approval of Fort Riley command, the area shall be open for the taking of elk during the elk season: United States government land lying entirely within the boundaries of the Fort Riley military reservation. Each person hunting in this subunit shall be in possession of any permits and licenses required by Fort Riley.

(c) Kansas; unit 3: statewide except for the areas described in units 1 and 2. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2010 Supp. 32-937; effective April 8, 2011.)

**115-4-11. Big game and wild turkey permit applications.** (a) General application provisions.

(1) Unless otherwise authorized by law or regulation, an individual shall not apply for or obtain more than one antlered or horned big game or wild turkey permit for each big game species or

wild turkey, except when the individual is unsuccessful in a limited quota drawing and alternative permits for the species are available at the time of subsequent application or when the individual is the final recipient of a commission permit.

(2) Unless otherwise authorized by law or regulation, each big game or wild turkey permit application shall be signed by the individual applying for the permit.

(3) Subject to any priority draw system established by this regulation, if the number of permit applications of a specific species and type received by the designated application deadline exceeds the number of available permits of that species and type, a random drawing to issue permits of that species and type shall be conducted by the secretary.

(4) A hunt-on-your-own-land permit shall not be tabulated in a priority draw system if the permit would otherwise reduce the applicant's odds of receiving a big game permit through that draw system.

(b) Deer permit applications.

(1) Subject to any priority draw system established by this subsection, in awarding deer permits in units having a limited number of permits, the first priority shall be given to those applicants who did not receive, in the previous year, a deer permit that allowed the taking of an antlered deer. All other deer permit applicants shall be given equal priority.

(2) In awarding a limited number of deer permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a deer permit that allows the taking of an antlered deer.

(B) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a deer permit that allows the taking of an antlered deer, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual desires to apply for a pref-

erence point for a deer permit that allows the taking of antlered deer and not receive a permit, the person may apply for and receive a preference point by paying the proper application or preference point fee and making application during the application period specified in K.A.R. 115-25-9. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) If an individual is a final recipient of a commission deer permit, the individual shall not possess more than one regular antlered deer permit and one commission deer permit.

(4) Applications for nonresident limited-quota antlered deer permits shall be accepted in the Pratt office from the earliest date that applications are available through the last Friday of April each year. Any nonresident applicant may select, at the time of application, one deer management unit and up to one adjacent management unit where that permit shall be valid.

(5) Applications for resident firearms either-species, either-sex permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday of July.

(6) Applications for resident any-season white-tailed either-sex deer permits, resident archery deer permits, resident muzzleloader either-species either-sex permits, and hunt-on-your-own-land deer permits shall be accepted at designated locations from the earliest date that applications are available through December 30.

(7) Each resident applicant for either-species, either-sex muzzleloader or firearm deer permits shall select, at the time of application, the unit where the permit shall be valid. The west unit permit shall be valid in units 1, 2, 17, and 18. The east unit permit shall be valid in units 3, 4, 5, 7, and 16.

(8) Applications for antlerless white-tailed deer permits shall be accepted at designated locations from the earliest date that applications are available through January 30 of the following year.

(c) Firearm antelope permit applications. In awarding firearm antelope permits, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(1) One point shall be awarded to an individual

for each year the individual is unsuccessful in obtaining a firearm antelope permit.

(2) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(3) If an applicant obtains a firearm permit by a priority draw system, all earned points shall be lost.

(4) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(5) If an individual desires to apply for a preference point for an antelope firearms permit that allows the taking of an antelope and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and making application during the application period specified in K.A.R. 115-25-7. No individual may apply for more than one preference point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(6) Applications for resident firearm and muzzleloader permits shall be accepted in the Pratt office from the earliest date that applications are available through the second Friday of June.

(7) Applications for resident and nonresident archery permits shall be accepted at designated locations from the earliest date that applications are available through October 30.

(8) If there are any unfilled permits after all timely applications have been considered, the application period may be extended by the secretary.

(9) Any applicant unsuccessful in obtaining a permit through a drawing may apply for any permit made available during an extended application period, or any other permit that is available on an unlimited basis.

(d) Elk permit applications.

(1) An individual receiving a limited-quota elk permit shall not be eligible to apply for or receive an elk permit in subsequent seasons, with the following exceptions:

(A) An individual receiving an any-elk or a bull-only elk permit may apply for and receive an antlerless-only elk permit in subsequent seasons.

(B) An individual receiving a limited-quota, antlerless-only elk hunting permit shall not be eligible to apply for or receive a limited-quota, antler-

less-only elk permit for a five-year period thereafter. Subject to this subsection, however, this individual may apply for and receive an any-elk or bull-only elk permit without a waiting period.

(C) When a limited number of elk permits are awarded by a random draw system, each individual shall have an additional opportunity of drawing for each bonus point earned by the individual in addition to the current application. Bonus points shall be awarded as follows:

(i) One bonus point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a random draw system, an elk permit that allows the taking of an elk.

(ii) If an individual fails to make at least one application or purchase one bonus point within a period of five consecutive years, all earned bonus points shall be lost.

(iii) If an applicant obtains, by a random draw system, an elk permit that allows the taking of an elk, all earned points shall be lost.

(iv) If an individual desires to apply for a bonus point for an elk permit that allows the taking of elk and not receive a permit, the person may apply for and receive a bonus point by paying the proper application or bonus point fee and making application during the application period specified in K.A.R. 115-25-8. No individual may apply for more than one bonus point in the same calendar year, and no individual shall apply for a bonus point in the same calendar year as the calendar year in which the individual is applying for a permit.

(D) Each individual who is the final recipient of a commission elk permit shall be eligible for a limited-quota elk permit, subject to the provisions of this subsection.

(E) Limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be awarded from a pool of applicants who are Fort Riley military personnel and applicants who are not Fort Riley military personnel.

(2) Applications for hunt-on-your-own-land and unlimited over-the-counter elk permits shall be accepted at designated locations from the earliest date that applications are available through March 14 of the following year.

(3) Applications for limited-quota antlerless-only elk permits and limited-quota either-sex elk permits shall be accepted at designated locations from the earliest date that applications are available through the second Friday in July.

(4) If there are leftover limited-quota antlerless-only elk permits or limited-quota either-sex permits after all timely applications have been considered, the application periods for those permits may be reopened by the secretary. Leftover permits shall be drawn and issued on a daily basis for those application periods reopened by the secretary. Any applicant unsuccessful in obtaining a permit through a drawing may apply for any leftover permit or any other permit that is available on an unlimited basis.

(5) Any individual may apply for or obtain no more than one permit that allows the taking of an elk, unless the individual is unsuccessful in a limited-quota drawing and alternative permits for elk are available at the time of subsequent application or the individual obtains a commission permit pursuant to this subsection.

(e) Wild turkey permit applications.

(1) When awarding wild turkey permits in units having a limited number of permits, the first priority shall be given to those individuals who did not receive a permit in a limited wild turkey unit during the previous year. All other applicants shall be given equal priority.

(2) In awarding a limited number of wild turkey permits by a priority draw system, the first priority shall be given to those individuals who have earned the highest number of preference points. Preference points shall be awarded as follows:

(A) One point shall be awarded to an individual for each year the individual is unsuccessful in obtaining, by a priority draw system, a wild turkey permit.

(B) If the individual fails to make at least one application or purchase one preference point within a period of five consecutive years, all earned points shall be lost.

(C) If an applicant obtains, by a priority draw system, a wild turkey permit, all earned points shall be lost.

(D) If the number of applicants with the most preference points exceeds the number of permits for specified units or permit types, then a drawing shall be held to determine the successful applicants.

(E) If an individual desires to apply for a preference point for a wild turkey permit and not receive a permit, the person may apply for and receive a preference point by paying the preference point fee and making application during the application period specified in K.A.R. 115-25-6. No individual may apply for more than one prefer-

ence point in the same calendar year, and no individual shall apply for a preference point in the same calendar year as the calendar year in which the individual is applying for a permit.

(3) Fall wild turkey permits for unit 1, unit 2, and unit 3 and game tags for unit 2 may be purchased over the counter at designated locations, from the earliest date in the year that applications are available through 5:00 p.m. on January 30 of the following year.

(4) Applications for spring wild turkey permits in unit 4 shall be accepted by the department from the earliest date that applications are available until midnight on the second Friday of February. If there are turkey permits left over after all timely applications have been considered, the application period may be reopened by the secretary. Left-over turkey permits shall be issued on a daily competitive basis until the day before the last day of the turkey season or until all turkey permits are issued.

(5) Spring wild turkey permits in unit 1, unit 2, and unit 3, youth turkey permits, and second turkey game tags in unit 2 and unit 3 may be purchased over the counter at designated locations from the earliest date that applications are available until midnight on the day before the closing date for the season. (Authorized by K.S.A. 32-807, K.S.A. 2010 Supp. 32-937, K.S.A. 2010 Supp. 32-969, and K.S.A. 2010 Supp. 32-970; implementing K.S.A. 2010 Supp. 32-937, K.S.A. 2010 Supp. 32-969, and K.S.A. 2010 Supp. 32-970; effective Sept. 10, 1990; amended May 27, 1991; amended June 1, 2001; amended April 18, 2003; amended Feb. 18, 2005; amended May 15, 2009; amended Feb. 5, 2010; amended April 8, 2011.)

#### Article 5.—FURBEARERS

**115-5-1. Furbearers and coyotes; legal equipment, taking methods, and general provisions.** (a) Hunting equipment permitted during furbearer hunting seasons and during coyote hunting seasons shall consist of the following:

- (1) Firearms, except fully automatic firearms;
- (2) archery equipment;
- (3) crossbows; and
- (4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light.

(b) Trapping equipment permitted during furbearer and coyote trapping seasons shall consist of the following:

- (1) Smooth-jawed foothold traps;
- (2) body-gripping traps;
- (3) box traps;
- (4) cage traps;
- (5) colony traps;
- (6) snares; and
- (7) deadfalls.

(c) The following general provisions shall apply to the taking of furbearers and coyotes:

(1) Calls may be used in the taking of furbearers and coyotes.

(2) Handheld, battery-powered flashlights, hat lamps, and handheld lanterns may be used while trapping furbearers or coyotes or while running furbearers.

(3) Any .22 or .17 caliber rimfire rifle or handgun may be used to take trapped furbearers or trapped coyotes when using a light to check traps.

(4) Any .22 or .17 caliber rimfire rifle or handgun may be used while using a handheld, battery-powered flashlight, hat lamp, or handheld lantern to take furbearers treed with the aid of dogs.

(5) Lures, baits, and decoys may be used in the taking of furbearers and coyotes.

(6) The use of horses and mules shall be permitted while hunting, trapping, or running furbearers and coyotes.

(7) The use of motor vehicles for taking coyotes shall be permitted while hunting coyotes.

(8) The use of radios in land or water vehicles shall be permitted for the taking of coyotes.

(9) The use of dogs for hunting and during running seasons shall be permitted.

(10) Each conibear-type, body-gripping trap with a jawspread of eight inches or greater shall be used only in a water set.

(11) Only landowners or tenants of land immediately adjacent to the right-of-way of a public road, or their immediate family members or authorized agents, may set slide-locking wire or snare-type cable traps as dryland sets within five feet of a fence bordering a public road or within 50 feet of the outside edge of the surface of a public road. Only these landowners or tenants, or their immediate family members or authorized agents, may possess the fur, pelt, skin, or carcass of any furbearer or coyote removed from these devices located within these specified limits.

(12) A person shall not have in possession any equipment specified in subsection (a) while pursuing or chasing furbearers with hounds during the running season.

(13) All trapping devices included in subsection



(b) shall be tagged with either the user's name and address or the user's department-issued identification number and shall be tended and inspected at least once every calendar day.

(14) Each foothold trap that has an outside jawsread greater than seven inches shall be used only in a water set. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 2010 Supp. 32-1002, and K.S.A. 2010 Supp. 32-1003; effective March 19, 1990; amended Nov. 15, 1993; amended July 19, 2002; amended Feb. 18, 2005; amended Sept. 4, 2009; amended July 22, 2011.)

**115-5-2. Furbearers and coyotes; possession, disposal, and general provisions.** (a) Legally taken raw furs, pelts, skins, carcasses, or meat of furbearers may be possessed without limit in time.

(b) Live furbearers legally taken during a furbearer season may be possessed only through the last day of the season in which taken.

(c) Legally acquired skinned carcasses and meat of furbearers may be sold or given to and possessed by another, and legally acquired raw furs, pelts, and skins of furbearers may be given to and possessed by another, if a written notice that includes the seller's or donor's name, address, and furharvester license number accompanies the carcass, pelt, or meat. A bobcat, otter, or swift fox tag as described in subsection (f) shall meet the requirements of written notice.

(d) Legally taken raw furs, pelts, skins, or carcasses of coyotes or legally taken live coyotes may be possessed without limit in time.

(e) Any person in lawful possession of raw furbearer or coyote furs, pelts, skins, or carcasses may sell or ship or offer for sale or shipment the same to licensed fur dealers or any person legally authorized to purchase raw furbearer or coyote furs, pelts, skins, or carcasses.

(f) Any bobcat, otter, or swift fox pelt legally taken in Kansas may be sold to any fur dealer or shipped from the state for the purpose of selling if an export tag provided by the department has been affixed to the pelt.

(1) The pelt of any bobcat or swift fox taken in Kansas shall be presented to the department for tagging within seven days following closure of the bobcat or swift fox hunting and trapping season.

(2) The pelt and skinned carcass of any otter taken in Kansas shall be presented to the department for tagging within four days following the harvest of the otter. The skinned carcass of the

otter shall be permanently surrendered to the department at the time of presentation.

(3) Each pelt presented for tagging shall be accompanied by the furharvester license number under which the pelt was taken.

(g) Properly licensed persons may legally salvage furbearers and coyotes found dead during the established open seasons for hunting or trapping of furbearers or coyotes. Salvaged furbearers and coyotes may be possessed or disposed of as authorized by this regulation. (Authorized by K.S.A. 32-807 and K.S.A. 32-942; implementing K.S.A. 32-807, K.S.A. 32-942, and K.S.A. 2010 Supp. 32-1002; effective March 19, 1990; amended Oct. 17, 1994; amended Nov. 29, 1999; amended July 19, 2002; amended Sept. 4, 2009; amended July 22, 2011.)

## Article 6.—FUR DEALERS

**115-6-1. Fur dealer license; application, authority, possession of furs, records, and revocation.** (a) Each application shall be submitted on a form provided by the department. Each applicant shall provide the following information:

- (1) Name of applicant;
- (2) residential address;
- (3) the address of each business location;
- (4) an inventory of raw furs, pelts, skins, and carcasses of furbearing animals and coyotes on hand at time of application; and
- (5) any other relevant information as required by the secretary.

(b) Each fur dealer license shall expire on June 30 following the date of issuance.

(c) Each fur dealer shall deal only with properly licensed persons and only at authorized fur dealer business locations.

(d) Any fur dealer may buy, purchase, or trade in the furs, pelts, skins, or carcasses of coyotes.

(e) Any fur dealer may possess legally acquired furs, pelts, skins, or carcasses of furbearing animals for no more than 30 days after the expiration date of the fur dealer's license. Coyote furs, pelts, skins, or carcasses may be possessed without limit in time.

(f) Each fur dealer shall purchase or acquire only those bobcat and swift fox pelts that have been tagged with a department export tag or with the official export tag provided by the wildlife agency of another state.

(g) Each fur dealer shall maintain a furharvester record book and a fur dealer book provided by the

department. Entries shall be made in the appropriate record book whenever receiving, shipping, or otherwise disposing of furs, pelts, skins, or carcasses of furbearing animals or coyotes. Each record book, all receipts, and all furs, pelts, skins, and carcasses in the fur dealer's possession shall be subject to inspection upon demand by any conservation officer. Each record book and all receipts shall be subject to copying upon demand by any conservation officer. Each fur dealer shall forward all record books to the department annually on or before April 1.

(1) The furharvester record book shall include the following information:

- (A) The name of fur dealer;
- (B) residential address;
- (C) fur dealer license number;
- (D) the date of each receipt of furs, pelts, skins, or carcasses;
- (E) name, address, and license number of each person from whom furs, pelts, skins, or carcasses were acquired;
- (F) name of the state where the furs, pelts, skins, or carcasses were harvested;
- (G) number of each species of furs, pelts, skins, or carcasses acquired; and
- (H) any other relevant information as required by the secretary.

(2) The fur dealer record book shall include the following information:

- (A) The name of fur dealer;
- (B) residential address;
- (C) fur dealer license number;
- (D) date of each receipt or disposal of furs, pelts, skins, or carcasses;
- (E) name, address, and fur dealer license number of each fur dealer from which furs, pelts, skins, or carcasses are acquired or to which they are sold;
- (F) number and species of furs, pelts, skins, or carcasses acquired or sold; and
- (G) any other relevant information as required by the secretary.

(h) In addition to other penalties prescribed by law, a fur dealer's license may be refused issuance or revoked by the secretary under any of the following circumstances:

- (1) The application is incomplete or contains false information.
  - (2) The fur dealer fails to meet reporting requirements.
  - (3) The fur dealer violates license conditions.
- (Authorized by K.S.A. 32-807 and K.S.A. 32-942;

implementing K.S.A. 32-807 and K.S.A. 32-942; effective March 19, 1990; amended Sept. 4, 2009.)

#### Article 7.—FISH AND FROGS

**115-7-1. Fishing; legal equipment, methods of taking, and other provisions.** (a) Legal equipment and methods for taking sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line;

(2) trotlines;

(3) setlines;

(4) tip-ups;

(5) using a person's hand or hands for flathead catfish in waters designated as open to hand fishing, subject to the following requirements:

(A) An individual hand fishing shall not use hooks, snorkeling or scuba gear, or other man-made devices while engaged in hand fishing;

(B) an individual hand fishing shall not possess fishing equipment, other than a stringer, while engaged in hand fishing and while on designated waters or adjacent banks;

(C) stringers shall not be used as an aid for hand fishing and shall not be used until the fish is in possession at or above the surface of the water;

(D) each individual hand fishing shall take fish only from natural objects or natural cavities;

(E) an individual hand fishing shall not take fish from any man-made object, unless the object is a bridge, dock, boat ramp, or riprap, or other similar structure or feature;

(F) no part of any object shall be disturbed or altered to facilitate the harvest of fish for hand fishing; and

(G) an individual hand fishing shall not take fish within 150 yards of any dam;

(6) snagging for paddlefish in waters posted or designated by the department as open to the snagging of paddlefish, subject to the following requirements:

(A) Each individual with a filled creel limit shall cease all snagging activity in the paddlefish snagging area until the next calendar day; and

(B) each individual taking paddlefish to be included in the creel and possession limit during the snagging season shall sign the carcass tag, record the county, the date, and the time of harvest on the carcass tag, and attach the carcass tag to the lower jaw of the carcass immediately following the harvest and before moving the carcass from the site of the harvest;

(7) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the following requirements:

(A) All floatlines shall be under the immediate supervision of the angler setting the floats. "Immediate supervision" shall mean that the angler has visual contact with the floatlines set while the angler is on the water body where the floatlines are located;

(B) all floatlines shall be removed when float fishing ceases;

(C) floatlines shall not contain more than one line per float, with not more than two baited hooks per line;

(D) all float material shall be constructed only from plastic, wood, or foam and shall be a closed-cell construction. A "closed-cell" construction shall mean a solid body incapable of containing water;

(8) bow and arrow with a barbed head and a line attached from bow to arrow; and

(9) crossbow and arrow with a barbed head and a line attached from arrow to crossbow.

(b) Legal equipment and methods for taking non-sport fish shall be the following:

(1) Fishing lines with not more than two baited hooks or artificial lures per line;

(2) trotlines;

(3) setlines;

(4) tip-ups;

(5) bow and arrow with a barbed head and a line attached from bow to arrow;

(6) crossbow and arrow with a barbed head and a line attached from arrow to crossbow;

(7) spear gun, without explosive charge, while skin or scuba diving. The spear, without explosive charge, shall be attached to the speargun or person by a line;

(8) gigging;

(9) snagging in waters posted by the department as open to snagging; and

(10) floatlines in waters posted or designated by the department as open to floatline fishing, which shall be subject to the requirements specified in paragraphs (a)(7)(A) through (D).

(c) Dip nets and gaffs may be used to land any legally caught or hooked fish.

(d) Fish may be taken by any method designated by the secretary when a fish salvage order has been issued by the secretary through public notice or posting the area open to fish salvage.

(e) Fish may be taken with the aid of boats,

depth finders, artificial lights, sound attracters, and scents.

(f) Fish may be taken by legal means from vehicles.

(g) The following additional requirements shall apply in the flowing portions and backwaters of the Missouri river and in any oxbow lake through which the Kansas-Missouri boundary passes:

(1) Each individual shall place all legally caught fish on a stringer, cord, cable, or chain, or in a basket, sack, cage, or other holding device, separate from those fish caught by any other individual.

(2) The equipment and methods specified in paragraphs (b)(5) and (b)(6) shall be legal only from sunrise to midnight.

(3) The equipment and method specified in paragraphs (a)(7), (b)(9), and (b)(10) shall be legal only from sunrise to sunset.

(h) The equipment and method specified in paragraphs (a)(8) and (a)(9) shall be legal only for the following species of sport fish where no size limit exists for any of these species of fish:

(1) Blue catfish;

(2) channel catfish; and

(3) flathead catfish.

(i) Optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light shall be valid for use on bows and crossbows. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2009 Supp. 32-1002; effective Dec. 26, 1989; amended Feb. 10, 1992; amended Oct. 1, 1999; amended Dec. 8, 2000; amended Sept. 27, 2002; amended Nov. 29, 2004; amended Nov. 27, 2006; amended Nov. 16, 2007; amended Dec. 1, 2008; amended Nov. 20, 2009; amended April 16, 2010; amended Nov. 19, 2010.)

**115-7-3. Fish; taking and use of bait fish or minnows.** (a) Bait fish may be taken for non-commercial purposes by any of the following means:

(1) A seine not longer than 15 feet and four feet deep with mesh not larger than ¼ inch;

(2) a fish trap with mesh not larger than ¼ inch and a throat not larger than one inch in diameter;

(3) a dip or cast net with mesh not larger than ⅜ inch; or

(4) a fishing line.

(b) Each fish trap shall be tagged with the operator's name and address when the fish trap is in use.

(c) Bait fish taken, except gizzard shad, shall not exceed 12 inches in total length.

(d) The possession limit shall be 500 bait fish.

(e) Wild-caught bait fish may be used as live bait only within the pool of a lake or impoundment where taken. If taken on a flowing stream or river, the wild-caught bait fish shall be used on that flowing stream or river and shall not be transported upstream across any dam or natural barrier.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Sept. 10, 1990; amended Nov. 20, 2009; amended Jan. 1, 2012.)

**115-7-6. Fishing; bait.** (a) The following types of bait may be used for the taking of fish, frogs, or turtles by legal means and methods:

- (1) Artificial lures;
- (2) bait fish;
- (3) prepared bait;
- (4) vegetable material;
- (5) material or artificial matter attached to a hook; and

(6) other wildlife, except those species specifically prohibited as bait and those species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2.

(b) Animal, vegetable, and other nontoxic material may be used as fish attractants.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Sept. 10, 1990; amended Jan. 1, 2012.)

**15-7-8.** This regulation shall be revoked on and after January 1, 2011. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2006 Supp. 32-1002; effective Nov. 27, 2006; amended Nov. 16, 2007; amended April 11, 2008; revoked Jan. 1, 2011.)

**115-7-9. Weigh-in black bass fishing tournaments.** (a) Each individual or organization conducting a weigh-in black bass fishing tournament shall ensure that all of the following minimum requirements are met when conducting weigh-in procedures:

(1) One individual shall provide work crew support for each 10 registered anglers.

(2) One weigh-in tank filled with an electrolyte chemical-water solution and fitted with recirculation and aeration accessories shall be maintained for each 25 registered anglers.

(3) If the water temperature at the tournament

location is 75 degrees Fahrenheit or cooler, the water contained in the weigh-in tank shall be maintained at the same temperature as that of the tournament location water.

(4) If the water temperature at the tournament location is warmer than 75 degrees Fahrenheit, the water in the weigh-in tank shall be maintained at a temperature that is between five and 10 degrees Fahrenheit cooler than the tournament location water but shall not exceed 85 degrees Fahrenheit at any time.

(5) Not more than four anglers shall be in the weigh-in line at any one time.

(6) Each weigh-in bag containing water from the well of the vessel shall be reinforced, reusable, and capable of holding up to 15 pounds of live fish and two gallons of water.

(7) The weigh-in site shall meet the following requirements:

(A) Be located near the vessel mooring site and the release site, vehicle, or vessel; and

(B) be located at all times under a portable awning, in an event tent, or in the shade.

(8) Only fish that meet the special length limit for the specific body of water where the weigh-in tournament is being conducted shall be weighed within the period beginning June 16 and ending August 31.

(b) Each individual or organization conducting the tournament shall ensure that all of the following minimum requirements are met when conducting the release procedures:

(1) The direct release of fish into the tournament location water after the weigh-in shall not be permitted.

(2) If the tournament is conducted with release tubes, vehicles, or vessels, the holding tanks shall contain a one-half percent noniodized salt solution.

(3) If the tournament is conducted without release tubes, vehicles, or vessels, the fish shall be dipped, for a period ranging from 10 seconds to 15 seconds before release, in a three percent noniodized salt solution having the same temperature as that of the water in the weigh-in tank.

(4) The release site shall meet the following conditions:

(A) Be located in water reaching at least three feet in depth with good circulation and a hard bottom; and

(B) be located away from vessel traffic and public-use vessel ramps.



(c) Each tournament participant shall meet the following requirements:

(1) Ensure that each well in the participant's vessel used in the tournament is properly working and contains an electrolyte chemical-water solution; and

(2) ensure that the participant's vessel used in the tournament is cleaned before and after the tournament in compliance with department guidelines regarding the prevention of aquatic nuisance species.

(d) The provisions of paragraph (a)(7)(A) may be waived by the secretary within the period beginning September 1 and extending through June 15 if the proximity proposed to the release site does not pose an inordinate risk to the wildlife resource and all other requirements of this regulation are met. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2010 Supp. 32-1002; effective Jan. 1, 2008; amended April 11, 2008; amended Nov. 19, 2010; amended May 20, 2011.)

**115-7-10. Fishing; special provisions.** (a)

A person who takes any fish from a body of water shall not tag, mark, brand, clip any fin of, mutilate, or otherwise disfigure any fish in a manner that would prevent species identification, examination of fins, recovery of tags, or determination of sex, age, or length of the fish before releasing the fish back into the body of water, unless a permit authorizing this activity has been issued by the department.

(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water. Designated aquatic nuisance waters shall be those specified in the department's "Kansas designated aquatic nuisance waters tables," dated August 25, 2011, which is hereby adopted by reference.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Nov. 20, 2009; amended Jan. 1, 2012.)

**Article 8.—DEPARTMENT LANDS AND WATERS**

**115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms.** (a) Subject to provisions and restrictions as established by posted notice or as specified in the document adopted by reference in subsection (e),

the following activities shall be allowed on department lands and waters:

(1) Hunting during open seasons for hunting on lands and waters designated for public hunting;

(2) furharvesting during open seasons for furharvesting on lands and waters designated for public hunting and other lands and waters as designated by the department;

(3) target practice in areas designated as open for target practice; and

(4) noncommercial training of hunting dogs.

(b) Other than as part of an activity under subsection (a), the discharge of firearms and other sport hunting equipment capable of launching projectiles shall be allowed on department lands and waters only as specifically authorized in writing by the department.

(c) The discharge of fully automatic rifles or fully automatic handguns on department lands and waters shall be prohibited.

(d) Department lands and waters shall be open neither for commercial rabbit and hare furharvesting nor for commercial harvest of amphibians and reptiles.

(e) The department's "KDWPT fisheries and wildlife division public land special use restrictions," dated July 18, 2011, is hereby adopted by reference. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended May 16, 2008; amended May 15, 2009; amended July 23, 2010; amended Nov. 14, 2011.)

**115-8-6. Fishing, fish bait, and seining.**

Fishing and the taking of fishing bait shall be allowed on department lands and waters, subject to the following general restrictions:

(a) Fishing shall be prohibited at boat ramps and boat docks closed to fishing by posted notice.

(b) Fishing shall be prohibited at swimming areas and swimming beaches that are posted as swimming areas or swimming beaches and delineated by buoys or other markers.

(c) Minnows, bait fish, and other fishing bait may be taken for use as fishing bait only on a non-commercial basis and may be used only in the department-managed water where taken.

(d) Seining in department-managed waters shall be prohibited.

(e) The cleaning of fish in state parks shall occur only at designated fish-cleaning stations or other locations as established by the department.

(f) The use of trot lines and set lines shall be

prohibited in the waters of Crawford state park, Meade state park, Scott state park, and all department-managed impoundments under 1,201 surface acres in size.

(g) Additional restrictions may be established by posted notice.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Dec. 4, 1989; amended Dec. 28, 1992; amended Nov. 29, 1999; amended Nov. 20, 2009; amended Jan. 1, 2012.)

**115-8-9. Camping.** (a) Camping shall be allowed only in designated areas on department lands and waters and shall be subject to provisions or restrictions as established by posted notice.

(b) All campers and camping units shall be limited to a stay of not more than 14 consecutive days in a campground unless otherwise established by posted notice or as otherwise authorized by the department.

(c) Upon completing 14 consecutive days in a campground, each person and all property of each person shall be absent from that campground for at least five days.

(d) One extended camping stay of not more than 14 additional consecutive days at the same campground may be granted through a written permit issued by the department if vacant camping sites are available. Upon completing 28 consecutive days at the same campground, each person and all property of each person shall be absent from the department-managed area for at least five days, except as authorized in subsection (e).

(e) Long-term camping in state parks shall be allowed on designated camping sites for six consecutive months through a written permit issued by the department if vacant long-term camping sites are available. Upon completing six consecutive months at the same state park, each person and all property of each person shall be absent from the state park for at least five days.

(f) Unless authorized by the department or located on a prepaid state park campsite reserved through the department's electronic reservation system, camping units shall not be left unoccupied in a campground for more than 24 hours.

(g) Unless authorized by the department or located on a prepaid state park campsite reserved through the department's electronic reservation system, vehicles or other property shall not be left unattended upon department lands or waters for more than 24 hours.

(h) Except as authorized by the department, any property unoccupied or unattended for more than 48 hours, unless the property is on a prepaid state park campsite reserved through the department's electronic reservation system, and any property abandoned upon department lands or waters shall be subject to removal by the department and may be reclaimed by the owner upon contacting the department.

(i) A campsite shall not be left unoccupied in a campground for more than 24 hours, unless the department so authorizes or the campsite is a prepaid state park campsite reserved through the department's electronic reservation system. (Authorized by and implementing K.S.A. 32-807; effective March 19, 1990; amended Feb. 10, 1992; amended Oct. 12, 1992; amended Sept. 12, 2008; amended Nov. 14, 2011.)

**115-8-10. Pets; provisions and restrictions.** (a) Pets shall be allowed but shall not be permitted to enter into any of the following:

(1) Areas that are posted as swimming beaches or swimming areas that are delineated by buoys or other markers;

(2) public buildings, except designated public-use department cabins; or

(3) public structures.

(b) Pets shall be controlled at all times by using any of the following:

(1) Hand-held lead not more than 10 feet in length;

(2) tethered chain or leash not more than 10 feet in length. The pet shall be under the direct observation of and control by the owner; or

(3) confined to a cage, pen, vehicle, trailer, privately owned cabin, or designated public-use department cabin.

(c) The requirements of subsection (b) shall not apply to dogs while being used during and as a part of any of the following acts or activities:

(1) Hunting during open hunting seasons on lands or waters open for hunting;

(2) authorized field trial events;

(3) noncommercial training of hunting dogs subject to any provisions or restrictions as established by posted notice;

(4) special events or activities as authorized by the department; or

(5) working as a "guide dog," "hearing assistance dog," or "service dog," as defined in K.S.A. 39-1113 and amendments thereto.

(d) Guide dogs, hearing assistance dogs, and

service dogs shall not be restricted by the requirements of subsection (a). (Authorized by and implementing K.S.A. 32-807; effective Dec. 4, 1989; amended Sept. 12, 2008; amended Nov. 14, 2011.)

**115-8-12. Stocking or releasing of wildlife.** Wildlife may be stocked or released on department lands or waters, navigable publicly owned rivers, and federal reservoirs only as authorized by any of the following:

- (a) A written agreement issued by the department;
- (b) a permit issued by the department;
- (c) a department-approved management plan;
- (d) regulations; or
- (e) posted notice.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended Jan. 1, 2012.)

**115-8-13. Motorized vehicles and aircraft; authorized operation.** (a) Motorized vehicles shall be operated only on department roads and parking areas, except as otherwise established by this regulation or posted notice or as approved by the secretary.

(b) Motorized vehicles shall be operated at speeds not in excess of 25 miles per hour or as otherwise established by posted notice.

(c) Motorized vehicles shall be operated in accordance with load limits as established by posted notice for roads or bridges.

(d) Motorized aircraft landings and takeoffs shall be allowed in designated areas only or as authorized by the secretary.

(e) Except as otherwise specified in K.A.R. 115-8-1, posted notice, or this regulation, motorized electric or gasoline-powered two-wheeled vehicles, all-terrain vehicles, work-site utility vehicles, golf carts, and snowmobiles may be operated on ice-covered department waters only for the purpose of ice fishing from one-half hour before sunrise to one-half hour after sunset. These vehicles shall enter onto the ice only from boat ramps and points of entry as established by posted notice.

(f) (1) Except as provided in this regulation, each motorized vehicle that meets either of the following conditions shall be prohibited from being operated on all department lands and roads:

(A) Is not registered with one of the following:

(i) The director of vehicles pursuant to K.S.A. 8-127 and amendments thereto; or

(ii) the corresponding authority in another state or country; or

(B) is unlawful to be operated on any interstate highway, federal highway, or state highway pursuant to K.S.A. 8-15,100 and K.S.A. 8-15,109, and amendments thereto.

(2) The term “motorized vehicle” shall include cars, trucks, all-terrain vehicles, work-site utility vehicles, golf carts, go-carts, and electric or gasoline-powered two-wheeled vehicles.

(g) Any person with a disability, as defined by K.S.A. 8-1,124 and amendments thereto, may annually request a permit from the secretary to utilize a motorized vehicle for accessing certain department lands and roads to provide access to recreational opportunities that would otherwise be unavailable to disabled persons. Each written request shall include the following:

(1) The name, address, and telephone number of the applicant;

(2) the nature of the disability;

(3) the name and location of the property to be accessed;

(4) the date or duration of the entry requested; and

(5) documentation of that person’s disability in the form of a disabled accessible parking placard, disabled motor vehicle license plate, or disabled identification card issued by the director of vehicles of the department of revenue pursuant to K.S.A. 8-1,125 and amendments thereto, or similar documentation issued by another state.

(h) No person who is in possession of a motorized vehicle and has a permit to operate the motorized vehicle on department lands and roads shall perform either of the following:

(1) Allow another person to operate the vehicle on department lands and roads unless that other person has a permit issued by the department; or

(2) operate the vehicle on department lands and roads unless that person is in possession of a permit issued by the department.

(i) Each permit issued by the department that authorizes the operation of a motorized vehicle on department lands and roads shall expire on the last day of the calendar year in which the permit was issued, unless otherwise specified on the permit.

(j) A permit that authorizes the operation of a motorized vehicle on department lands and roads shall not be issued or shall be revoked by the secretary for any of the following reasons:

(1) The disability does not meet the requirements for the permit.

(2) The application is incomplete or contains false information.

(3) The disability under which the permit was issued no longer exists.

(4) The documentation of disability in the form of a disabled accessible parking placard, disabled motor vehicle license plate, or disabled identification card issued by the director of vehicles of the department of revenue pursuant to K.S.A. 8-1,125 and amendments thereto, or similar documentation issued by another state, has expired.

(5) The permit holder fails to comply with the terms and limitations of the permit or with the requirements specified in this regulation.

(6) The issuance or continuation of the permit would be contrary to the preservation of habitat or species located on or in department lands or waters.

(k) This regulation shall not apply to any motorized vehicle that is owned by the department or a designated agent and is used in the operation and maintenance of department lands and roads. (Authorized by and implementing K.S.A. 32-807; effective Dec. 4, 1989; amended Feb. 8, 2008; amended Sept. 9, 2011.)

#### Article 15.—NONGAME, THREATENED AND ENDANGERED SPECIES

**115-15-1. Threatened and endangered species; general provisions.** (a) The following species shall be designated endangered within the boundaries of the state of Kansas.

(1) Invertebrates

Flat floater mussel, *Anodonta suborbiculata* (Say, 1831)

Rabbitsfoot mussel, *Quadrula cylindrica* (Say, 1817)

Western fanshell mussel, *Cyprogenia aberti* (Conrad, 1850)

Neosho mucket mussel, *Lampsilis rafinesqueana* (Frierson, 1927)

Elktoe mussel, *Alasmidonta marginata* (Say, 1818)

Ellipse mussel, *Venustaconcha ellipsiformis* (Conrad, 1836)

Slender walker snail, *Pomatiopsis lapidaria* (Say, 1817)

Scott optioservus ruffle beetle, *Optioservus phaeus* (White, 1978)

American burying beetle, *Nicrophorus americanus* (Olivier, 1890)

Mucket, *Actinonaias ligamentina* (Lamarck, 1819)

(2) Fish

Arkansas River shiner, *Notropis girardi* (Hubbs and Ortenburger, 1929)

Pallid sturgeon, *Scaphirhynchus albus* (Forbes and Richardson, 1905)

Sicklefin chub, *Macrhybopsis meeki* (Jordan and Evermann, 1896)

Arkansas River speckled chub, *Macrhybopsis tetranema* (Gilbert, 1886)

Silver chub, *Macrhybopsis storeriana* (Kirtland, 1845)

(3) Amphibians

Cave salamander, *Eurycea lucifuga* (Rafinesque, 1822)

Many-ribbed salamander, *Eurycea multiplicata* (Cope, 1869)

Grotto salamander, *Eurycea spelaea* (Stejneger, 1892)

(4) Birds

Black-capped vireo, *Vireo atricapilla* (Woodhouse, 1852)

Eskimo curlew, *Numenius borealis* (Forster, 1772)

Least tern, *Sterna antillarum* (Lesson, 1847)

Whooping crane, *Grus americana* (Linnaeus, 1758)

(5) Mammals

Black-footed ferret, *Mustela nigripes* (Audubon and Bachman, 1851)

Gray myotis, *Myotis grisescens* (A.H. Howell, 1909)

(b) The following species shall be designated threatened within the boundaries of the state of Kansas.

(1) Invertebrates

Rock pocketbook mussel, *Arcidens confragosus* (Say, 1829)

Flutedshell mussel, *Lasmigona costata* (Rafinesque, 1820)

Butterfly mussel, *Ellipsaria lineolata* (Rafinesque, 1820)

Ouachita kidneyshell mussel, *Ptychobranhus occidentalis* (Conrad, 1836)

Sharp hornsnail, *Pleurocera acuta* (Rafinesque, 1831)



- Delta hydrobe, *Probythinella emarginata* (Kuster, 1852)
- (2) Fish
- Arkansas darter, *Etheostoma cragini* (Gilbert, 1885)
- Chestnut lamprey, *Ichthyomyzon castaneus* (Girard, 1858)
- Flathead chub, *Platygobio gracilis* (Richardson, 1836)
- Hornyhead chub, *Nocomis biguttatus* (Kirtland, 1840)
- Neosho madtom, *Noturus placidus* (Taylor, 1969)
- Redspot chub, *Nocomis asper* (Lachner and Jenkins, 1971)
- Silverband shiner, *Notropis shumardi* (Girard, 1856)
- Blackside darter, *Percina maculata* (Girard, 1859)
- Sturgeon chub, *Macrhybopsis gelida* (Girard, 1856)
- Western silvery minnow, *Hybognathus argyritus* (Girard, 1856)
- Topeka shiner, *Notropis topeka* (Gilbert, 1884)
- Shoal chub, *Macrhybopsis hyostoma* (Gilbert, 1884)
- Plains minnow, *Hybognathus placitus* (Girard, 1856)
- (3) Amphibians
- Eastern newt, *Notophthalmus viridescens* (Rafinesque, 1820)
- Longtail salamander, *Eurycea longicauda* (Green, 1818)
- Eastern narrowmouth toad, *Gastrophryne carolinensis* (Holbrook, 1836)
- Green frog, *Rana clamitans* (Latreille, 1801)
- Spring peeper, *Pseudacris crucifer* (Wied-Neuwied, 1838)
- Strecker's chorus frog, *Pseudacris streckeri* (Wright and Wright, 1933)
- Green toad, *Bufo debilis* (Girard, 1854)
- (4) Reptiles
- Broadhead skink, *Eumeces laticeps* (Schneider, 1801)
- Checkered garter snake, *Thamnophis marcianus* (Baird and Girard, 1853)
- Texas blind snake, *Leptotyphlops dulcis* (Baird and Girard, 1853)
- Redbelly snake, *Storeria occipitomaculata* (Storer, 1839)
- Longnose snake, *Rhinocheilus lecontei* (Baird and Girard, 1853)
- Smooth earth snake, *Virginia valeriae* (Baird and Girard, 1853)
- (5) Birds
- Piping plover, *Charadrius melodus* (Ord, 1824)
- Snowy plover, *Charadrius alexandrinus* (Linnaeus, 1758)
- (6) Mammals
- Spotted skunk, *Spilogale putorius* (Linnaeus, 1758)
- (7) Turtles
- Common map turtle, *Graptemys geographica* (Le Sueur, 1817)
- (c) A threatened or endangered species taken during established trapping seasons, authorized commercial wildlife operations, fishing by hook and line, bait fish seining, or other lawful activity shall not be unlawfully taken if immediately released.
- (d) Any threatened or endangered species in possession before the effective date of this regulation and not prohibited by any previous regulation of the department or national listings may be retained in possession if either of the following conditions is met:
- (1) An application of affidavit to that effect has been filed with and approved by the secretary before January 1, 1990 that states the circumstances of how the species came into possession.
- (2) Possession of the animal has been previously approved by the department. (Authorized by K.S.A. 32-960 and K.S.A. 32-963; implementing K.S.A. 32-960, K.S.A. 32-961, K.S.A. 32-963, K.S.A. 32-1010, and K.S.A. 32-1011; effective Oct. 30, 1989; amended Aug. 31, 1992; amended Nov. 29, 1999; amended Feb. 18, 2005; amended July 24, 2009.)
- 115-15-2. Nongame species; general provisions.** (a) The following species shall be designated nongame species in need of conservation within the boundaries of the state of Kansas.
- (1) Invertebrates
- Cylindrical papershell mussel, *Anodonta ferussacianus* (I. Lea, 1834)

- Snuffbox mussel, *Epioblasma triquetra* (Rafinesque, 1820)
- Wartyback mussel, *Quadrula nodulata* (Rafinesque, 1820)
- Spike mussel, *Elliptio dilatata* (Rafinesque, 1820)
- Wabash pigtoe mussel, *Fusconaia flava* (Rafinesque, 1820)
- Fatmucket mussel, *Lampsilis siliquoides* (Barnes, 1823)
- Yellow sandshell mussel, *Lampsilis teres* (Rafinesque, 1820)
- Washboard mussel, *Megalonaias nervosa* (Rafinesque, 1820)
- Round pigtoe mussel, *Pleurobema sinuatum* (Conrad, 1834)
- Creeper mussel, *Strophitus undulatus* (Say, 1817)
- Fawnsfoot mussel, *Truncilla donaciformis* (I. Lea, 1828)
- Deertoe mussel, *Truncilla truncata* (Rafinesque, 1820)
- Ozark emerald dragonfly, *Somatochlora ozarkensis* (Bird, 1833)
- Gray petaltail dragonfly, *Tachopteryx thoreyi* (Hagen in Selys, 1857)
- Prairie mole cricket, *Gryllotalpa major* (Saussure, 1874)
- Neosho midget crayfish, *Orconectes macrus* (Williams, 1952)
- (2) Fish
- Banded darter, *Etheostoma zonale* (Cope, 1868)
- Banded sculpin, *Cottus carolinae* (Gill, 1861)
- Black redhorse, *Moxostoma duquesnei* (Lesueur, 1817)
- Blue sucker, *Cycleptus elongatus* (Lesueur, 1817)
- Blacknose dace, *Rhinichthys atratulus* (Hermann, 1804)
- Bluntnose darter, *Etheostoma chlorosoma* (Hay, 1881)
- Brassy minnow, *Hybognathus hankinsoni* (Hubbs, 1929)
- Gravel chub, *Erimystax x-punctatus* (Hubbs and Crowe, 1956)
- Greenside darter, *Etheostoma blennioides* (Rafinesque, 1819)
- Highfin carpsucker, *Carpionodes velifer* (Rafinesque, 1820)
- Northern hog sucker, *Hypentelium nigricans* (Lesueur, 1817)
- Ozark minnow, *Notropis nubilus* (Forbes, 1878)
- River darter, *Percina shumardi* (Girard, 1859)
- River redhorse, *Moxostoma carinatum* (Cope, 1870)
- River shiner, *Notropis blennius* (Girard, 1856)
- Slough darter, *Etheostoma gracile* (Girard, 1859)
- Speckled darter, *Etheostoma stigmaeum* (Jordan, 1877)
- Spotfin shiner, *Cyprinella spiloptera* (Cope, 1868)
- Spotted sucker, *Minytrema melanops* (Rafinesque, 1820)
- Stippled darter, *Etheostoma punctulatum* (Agassiz, 1854)
- Tadpole madtom, *Noturus gyrinus* (Mitchill, 1817)
- Brindled madtom, *Noturus miurus* (Jordan, 1877)
- Bigeye shiner, *Notropis boops* (Gilbert, 1884)
- Redfin darter, *Etheostoma whipplei* (Girard, 1859)
- Lake Sturgeon, *Acipenser fulvescens* (Rafinesque, 1817)
- Striped shiner, *Luxilus chrysocephalus* (Rafinesque, 1820)
- Common shiner, *Luxilus cornutus* (Mitchill, 1817)
- Southern Redbelly Dace, *Phoxinus erythrogaster* (Rafinesque, 1820)
- Cardinal Shiner, *Luxilus cardinalis* (Mayden, 1988)
- Johnny Darter, *Etheostoma nigrum* (Rafinesque, 1820)
- (3) Amphibians
- Red-spotted toad, *Bufo punctatus* (Baird and Girard, 1852)
- Crawfish frog, *Rana areolata* (Baird and Girard, 1852)
- (4) Reptiles
- Rough earth snake, *Virginia striatula* (Linnaeus, 1766)
- Western hognose snake, *Heterodon nasicus* (Baird and Girard, 1852)
- Timber rattlesnake, *Crotalus horridus* (Linnaeus, 1758)
- Eastern hognose snake, *Heterodon platirhinos* (Latreille, 1801)

- Glossy snake, *Arizona elegans* (Kennicott, 1859)  
 Chihuahuan night snake, *Hypsiglena jani* (Duges, 1865)
- (5) Birds  
 Bobolink, *Dolichonyx oryzivorus* (Linnaeus, 1758)  
 Cerulean warbler, *Dendroica cerulea* (Wilson, 1810)  
 Curve-billed thrasher, *Toxostoma curvirostre* (Swainson, 1827)  
 Ferruginous hawk, *Buteo regalis* (Gray, 1844)  
 Golden eagle, *Aquila chrysaetos* (Linnaeus, 1758)  
 Short-eared owl, *Asio flammeus* (Pontoppidan, 1763)  
 Henslow's sparrow, *Ammodramus henslowii* (Audubon, 1829)  
 Ladder-backed woodpecker, *Picoides scalaris* (Wagler, 1829)  
 Long-billed curlew, *Numenius americanus* (Bechstein, 1812)  
 Mountain plover, *Charadrius montanus* (Townsend, 1837)  
 Chihuahuan raven, *Corvus cryptoleucus* (Couch, 1854)  
 Black tern, *Chlidonias niger* (Linnaeus, 1758)  
 Black rail, *Laterallus jamaicensis* (Gmelin, 1789)  
 Whip-poor-will, *Caprimulgus vociferus* (Wilson, 1812)  
 Yellow-throated warbler, *Dendroica dominica* (Linnaeus, 1776)
- (6) Mammals  
 Franklin's ground squirrel, *Spermophilus franklinii* (Sabine, 1822)  
 Pallid bat, *Antrozous pallidus* (LeConte, 1856)  
 Southern bog lemming, *Synaptomys cooperi* (Baird, 1858)  
 Southern flying squirrel, *Glaucomys volans* (Linnaeus, 1758)  
 Texas mouse, *Peromyscus attwateri* (J.A. Allen, 1895)  
 Townsend's big-eared bat, *Corynorhinus townsendii* (Cooper, 1837)
- (7) Turtles  
 Alligator snapping turtle, *Macrochelys temminckii* (Troost, in Harlan, 1835)
- (b) Any nongame species in need of conser-

vation taken during established trapping seasons, authorized commercial wildlife operations, fishing by hook and line, bait fish seining, or other lawful activity shall not be unlawfully taken if immediately released.

(c) Any nongame species in need of conservation in possession before the effective date of this regulation and not prohibited by any previous regulation of the department or national listings may be retained in possession if either of the following conditions is met:

(1) An application of affidavit to that effect has been filed with and approved by the secretary before January 1, 1990, that states the circumstances of how the species came into possession.

(2) Possession of the animal has been previously approved by the department. (Authorized by K.S.A. 32-959 and K.S.A. 32-963; implementing K.S.A. 32-959 and K.S.A. 2008 Supp. 32-1009; effective Oct. 30, 1989; amended Aug. 31, 1992; amended Nov. 29, 1999; amended Feb. 18, 2005; amended July 24, 2009.)

#### Article 16.—WILDLIFE DAMAGE CONTROL

**115-16-3. Nuisance bird control permit; application, provisions, and requirements.** (a) The term “nuisance birds” shall include those species specified in the department’s “Kansas nuisance bird species table,” dated May 9, 2011, which is hereby adopted by reference.

(b) Nuisance birds may be controlled when found depredating or about to depredate upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance.

(c) A nuisance bird control permit shall be required to use any lethal method of control that involves poisons or chemicals for controlling nuisance birds other than the feral pigeon, English sparrow, or European starling.

(d) Any person may apply to the secretary for a nuisance bird control permit. The application shall be submitted on forms provided by the department. Each applicant shall provide the following information:

- (1) The applicant’s name;
- (2) the applicant’s address;
- (3) the applicant’s telephone number;
- (4) the location of the nuisance bird problem;
- (5) a description of the problem;

(6) the species of birds involved;  
(7) the proposed method of control;  
(8) the length of time for which the permit is requested; and  
(9) any other relevant information as required by the secretary.

(e) Issuance of a permit may be denied by the secretary if any of the following conditions is met:

(1) The permit application is unclear or incomplete.

(2) The need for nuisance bird control has not been established.

(3) Use of the poison or chemical would pose inordinate risk to the public, non-target wildlife, or the environment.

(f) Each permit shall be valid only for the period specified on the permit, which shall not exceed one year.

(g) A permit may be extended by the secretary upon request and justification by the permittee. However, the combined total of the original and the extended time periods shall not exceed one year.

(h) Each permit shall be valid only for the locations specified in the permit.

(i) In addition to other penalties as prescribed by law, a nuisance bird control permit may be revoked by the secretary if either of the following conditions is met:

(1) The permit was secured through false representation.

(2) The permittee fails to meet permit requirements or violates permit conditions.

(j) A nuisance bird control permit shall not be required to control nuisance bird problems as described in subsection (b) if the control method is nonlethal or if the control method involves use of firearms, air rifles, air pistols, archery equipment, or falconry.

(k) Nuisance birds killed and the plumage of nuisance birds killed during nuisance bird control may be possessed, transported, and otherwise disposed of or utilized, except that nuisance birds killed and the plumage of nuisance birds killed during nuisance bird control shall not be sold or offered for sale.

(l) Nontoxic shot and bullets shall be required for the taking of nuisance birds pursuant to this regulation, except when using an air rifle, air pistol, or .22 caliber rimfire firearm. (Authorized by K.S.A. 32-807 and K.S.A. 32-955; implementing K.S.A. 32-955, K.S.A. 2010 Supp. 32-1002, and K.S.A. 2010 Supp. 32-1003; effective Sept. 10,

1990; amended Aug. 31, 1992; amended Sept. 9, 2011.)

**115-16-5. Wildlife control permit; operational requirements.** (a) Each person holding a valid wildlife control permit issued according to K.A.R. 115-16-6, and each person assisting the permittee while under the constant and direct supervision and in the constant presence of the permittee, shall be authorized to take, transport, release, and euthanize wildlife subject to the restrictions described in this regulation and on the permit.

(b) Wildlife may be taken under the authorization of a wildlife control permit only when one or more of the following circumstances exist:

(1) The wildlife is found in or near buildings.

(2) The wildlife is destroying or about to destroy property.

(3) The wildlife is creating a public health or safety hazard or other nuisance.

(c) Subject to the restrictions described in this regulation and on the permit, a wildlife control permit shall allow the taking of the following species, notwithstanding other season, open unit, or limit restrictions that may be established by the department:

(1) Furbearers;

(2) small game;

(3) reptiles;

(4) amphibians;

(5) coyotes;

(6) nongame mammals, except house mice and Norway rats;

(7) pigeons, English sparrows, and starlings; and

(8) migratory birds and waterfowl, subject to K.S.A. 32-1008, and amendments thereto.

(d) Subject to applicable federal, state, and local laws and regulations, the wildlife listed in subsection (c) may be taken with the following equipment or methods:

(1) Trapping equipment, if each trapping device is equipped with a metal tag with the permittee's name and address and is checked at least once each calendar day, and if snares are not attached to a drag. Trapping equipment shall consist of the following:

(A) Foothold traps;

(B) body-gripping traps;

(C) box traps;

(D) live traps; and

(E) snares;



(2) firearms and accessory equipment, as follows:

- (A) Optical scopes or sights; and
- (B) sound-suppression devices;
- (3) BB guns and pellet guns;
- (4) archery equipment;
- (5) dogs;
- (6) falconry;
- (7) toxicants registered by the Kansas department of agriculture, except that such use may be subject to K.A.R. 115-16-1, K.A.R. 115-16-2, or K.A.R. 115-16-3;
- (8) habitat modification;
- (9) net or seine;
- (10) glue board;
- (11) hand;
- (12) any other methods to exclude or frighten wildlife, including repellents; and
- (13) any other method as specified on the permit.

(e) No person shall possess a live species of wildlife taken under the authority of a wildlife control permit beyond the close of the calendar day following capture, unless specifically authorized by the department. Live wildlife shall not be used for display purposes, programs, training dogs, or otherwise kept in captivity, except that pigeons may be used for training dogs.

(f) Subject to applicable federal, state, and local laws and regulations, wildlife taken pursuant to a wildlife control permit shall be disposed of using one or more of the following methods:

(1) Wildlife taken alive may be controlled using lethal methods or equipment including the methods or equipment listed in paragraphs (d)(2), (d)(3), (d)(4), and (d)(7).

(2) Wildlife taken alive may be relocated and released, subject to the following requirements:

(A) Wildlife may be released only in suitable habitat located at least 10 miles from the original capture site and only with the prior written permission of the person in legal possession of the release site.

(B) Wildlife shall not be released in a location so close to human dwellings that the release is likely to result in recurrence of the reason the wildlife was taken.

(C) Wildlife shall not be released within the limits of any municipality without prior written permission from the appropriate municipal authority.

(D) Wildlife may be released on department

lands or waters only with the prior written approval of the department.

(E) Wildlife shall not be released if injured or if displaying common symptoms of disease, including any of the following:

- (i) Lack of coordination;
- (ii) unusual lack of aggressiveness;
- (iii) unusual secretions from the eyes, nose, or mouth;
- (iv) rapid or uneven respiration;
- (v) malnourishment;
- (vi) loss of muscle control; or
- (vii) loss of large patches of hair.

(F) Wildlife shall not be transported from the state except as authorized by the department.

(3) Wildlife species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2, or other wildlife species designated by the department, shall be released according to paragraph (f)(2) if unharmed. If harmed or injured, these species shall be submitted to either the department or a person holding a valid wildlife rehabilitation permit issued according to K.A.R. 115-18-1.

(4) Wildlife controlled by poison shall be removed immediately, and all dead wildlife shall be disposed of using one of the following methods:

(A) The wildlife may be submitted to a licensed landfill, renderer, or incinerator.

(B) The wildlife may be disposed of on private property with the prior written permission of the person in legal possession of the property, except that the wildlife shall not be disposed of within the limits of any municipality without prior written permission from the appropriate municipal authority.

(C) Any part of the wildlife, excluding the flesh, may be sold, given, purchased, possessed, and used for any purpose, with the following restrictions and exceptions:

(i) The raw fur, pelt, or skin of furbearers may be sold only to a licensed fur dealer.

(ii) The carcass and meat of a furbearer may be sold, given, purchased, possessed, and used for any purpose.

(iii) No part of any migratory bird or waterfowl shall be sold, given, purchased, possessed, or used for any purpose.

(iv) Each person purchasing unprocessed parts of the wildlife shall maintain a bill of sale for at least one calendar year.

(D) Dead wildlife controlled by poison or showing symptoms of disease shall be either buried be-

low ground or disposed of as authorized by paragraph (f)(4)(A).

(g) Each bobcat or swift fox taken under authority of a wildlife control permit shall be subject to the tagging requirements established by K.A.R. 115-5-2. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-911, K.S.A. 2009 Supp. 32-919, K.S.A. 2009 Supp. 32-1002, and K.S.A. 2009 Supp. 32-1003; effective July 19, 2002; amended Nov. 27, 2006; amended April 8, 2011.)

#### **Article 17.—WILDLIFE, COMMERCIAL USES AUTHORIZED**

##### **115-17-1. Commercial harvest of fish bait; legal species, harvest seasons, size restrictions, daily limits, and possession limits.**

(a) The following wildlife may be commercially harvested in Kansas for sale as fishing bait:

- (1) Crayfish, all species;
- (2) annelids; and
- (3) insects.

(b) The season for commercial harvest of wildlife listed in subsection (a) shall be year-round.

(c) There shall be no minimum or maximum size restrictions for wildlife listed in subsection (a).

(d) There shall be no maximum daily or possession limits for wildlife listed in subsection (a).

(e) Wildlife listed in K.A.R. 115-15-1 or in K.A.R. 115-15-2 shall not be harvested. This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012.)

##### **115-17-2. Commercial sale of fish bait.**

(a) The following wildlife may be commercially sold in Kansas for fishing bait:

- (1) The following species of fish:
  - (A) Black bullhead (*Ameiurus melas*);
  - (B) bluegill (*Lepomis macrochirus*), including hybrids;
  - (C) common carp (*Cyprinus carpio*), including koi;
  - (D) fathead minnow (*Pimephales promelas*), including “rosy reds”;
  - (E) golden shiner (*Notemigonus crysoleucas*);
  - (F) goldfish (*Carassius auratus*), including “black saltys”;
  - (G) green sunfish (*Lepomis cyanellus*), including hybrids; and
  - (H) yellow bullhead (*Ameiurus natalis*);

(2) only species of annelids native to or naturalized in the continental United States;

(3) the following species of crayfish:

- (A) Virile crayfish (*Orconectes virilis*);
- (B) calico crayfish (*Orconectes immunes*); and
- (C) white river crayfish (*Procambarus acutus*);

and

(4) only species of insects native to or naturalized in Kansas.

(b) Wildlife listed in K.A.R. 115-15-1 or in K.A.R. 115-15-2 or prohibited from importation pursuant to K.S.A. 32-956, and amendments thereto, shall not be sold.

(c) Live aquatic bait shall be certified free of the following pathogens before import, according to K.A.R. 115-17-2a:

- (1) Spring viremia of carp virus;
- (2) infectious pancreatic necrosis virus;
- (3) viral hemorrhagic septicemia virus; and
- (4) infectious hematopoietic virus.

(d) Each distribution tank and each retail tank shall utilize a source of potable water or well water.

(e) Each sale of fish bait shall be accompanied by a receipt that indicates the date of sale, the number and type of fish sold, and the name, address, phone number, and bait permit number of the vendor. This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012.)

**115-17-2a. Commercial sale of bait fish; testing procedures.** (a) Live aquatic bait shall be certified free of the following pathogens before import, according to the requirements in this regulation:

- (1) Spring viremia of carp virus;
- (2) infectious pancreatic necrosis virus;
- (3) viral hemorrhagic septicemia virus; and
- (4) infectious hematopoietic virus.

(b) On and after January 1, 2014, upon application or renewal, each applicant and each commercial fish bait permittee shall provide documentation of two consecutive years of pathogen-free status from an independent laboratory approved by United States department of agriculture, animal and plant health inspection service, for the pathogens listed in subsection (a) for the source of bait fish being sold. If the facility is new, the applicant shall certify by affidavit that the facility does not meet the requirements in this

regulation and shall provide documentation of pathogen-free status for the current year of operation.

(c) The sample size shall be 150 fish and shall include moribund fish observed in the sampling process. The samples shall be collected twice each year. The samples shall be collected once during the month of October, November, or December and once during the month of March, April, or May.

(d) Collection of each sample shall be overseen by a doctor of veterinary medicine accredited by the United States department of agriculture, animal and plant health inspection service. The collection shall be made under the direct observation of the overseer to the extent that the official can attest to the origin of the fish and that the sampling scheme meets the requirements in this regulation.

(e) Each sample shall include all of the ponds and grow-out tanks. The final species and age composition of each sample shall reflect the overall composition of the certified fish on location. For locations with more than 50 ponds, all species and sizes of fish shall be included in each sample, but the ponds may be sampled in rotation so that all ponds are sampled at least once every two years. This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Jan. 1, 2012.)

**115-17-3. Commercial fish bait permit; requirement, application, and general provisions.** (a) A commercial fish bait permit shall be required for the harvest, sale, or purchase for resale of fish bait, except that a commercial fish bait permit shall not be required for the harvest or sale of annelids or insects or for the purchase of annelids or insects for resale.

(b) Any person may apply to the secretary for a commercial fish bait permit. The application shall be submitted on forms provided by the department and completed in full by the applicant. Each incomplete application shall be returned to the applicant.

(c) Each commercial fish bait permit shall be valid for only those wildlife species specified in the permit.

(d) Each commercial fish bait permit shall authorize the permittee to perform any of the following:

(1) Sell fish bait to any person for use as fish bait;

(2) purchase fish bait for resale as fish bait, if the purchase is made from a person who meets at least one of the following requirements:

(A) Possesses a valid commercial fish bait permit;

(B) is a commercial fish grower, as defined by K.S.A. 32-974 and amendments thereto; or

(C) is authorized by another state to export and sell fish bait; or

(3) import fish bait for sale as fish bait.

(e) Each permittee harvesting or purchasing fish bait shall maintain records of the following information and, if requested by the secretary, shall provide a report to the department containing the following information:

(1) The permittee's name;

(2) the permit number;

(3) the number, location, and species of wildlife harvested;

(4) the number and species of wildlife sold;

(5) for each permittee purchasing fish bait, the name, address, and phone number of each individual distributor or producer from whom the permittee purchased; and

(6) for each permittee purchasing fish bait, the delivery date of each purchase.

(f) Each permittee shall make records required under the permit available for inspection by any law enforcement officer or department employee upon demand.

(g) Each permittee shall make the fish and the distribution or retail holding tanks that are subject to sample testing pursuant to K.A.R. 115-17-2a available for inspection by any law enforcement officer or department employee upon demand.

(h) Each permittee shall respond to any survey regarding activities conducted under the permit if requested by the secretary.

(i) In addition to other penalties prescribed by law, a commercial fish bait permit or application may be denied or revoked by the secretary if either of the following conditions is met:

(1) The application is incomplete or contains false information.

(2) The permittee fails to meet permit requirements or violates permit conditions.

(j) Each commercial fish bait permit shall expire on December 31 of the year for which the permit is issued.

(k) A permittee may possess and sell legally acquired wildlife for fish bait for not more than 30 days following expiration of the permit. This regulation shall be effective on and after January 1,

2012. (Authorized by K.S.A. 32-807 and K.S.A. 32-941; implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended Jan. 1, 2012.)

**115-17-4. Commercial harvest of fish bait; legal equipment, taking methods, and general provisions.** (a) Legal equipment and taking methods permitted for commercial harvest of wildlife for use as fish bait shall be as follows:

(1) Crayfish may be taken by the following methods and means:

(A) By hand;

(B) by trap with ½-inch or smaller mesh size, using the bar measurement, and with two-inch or smaller entrance openings;

(C) by seine with ½-inch or smaller mesh size, using the bar measurement. The seine may be of any length, height, or twine size;

(D) by lift net with ½-inch or smaller mesh size, using the bar measurement;

(E) by dip net with ½-inch or smaller mesh size, using the bar measurement. The dip net may be of any dimension and have any handle configuration; and

(F) by other methods as approved by the secretary.

(2) Annelids and insects may be taken by any method.

(b) (1) Boats with or without mechanical propulsion may be used.

(2) Depth-recording or fish-locating devices may be used.

(3) Holding baskets, holding cages, and holding bags may be used, if the permittee's name and permit number are attached.

(4) The permittee's name and permit number shall be attached to each trap and seine while the trap or seine is in use. This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012.)

**115-17-5. Commercial harvest of fish bait; open areas.** The following areas shall be open for the commercial harvest of crayfish, annelids, and insects:

(a) For crayfish, all lands and waters of the state except department lands and waters and federal and state sanctuaries; and

(b) for annelids and insects, all lands and waters of the state except department lands and waters and federal and state sanctuaries. This regulation

shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012.)

**115-17-10. Commercial harvest of fish; permit requirement and application, reports, permit revocation.** (a) Except as authorized in K.A.R. 115-17-13, a commercial fishing permit shall be required for the taking of fish for commercial purposes from that portion of the Missouri River bordering on this state.

(b) Each application for a commercial fishing permit shall be submitted on forms provided by the department and completed in full by the applicant. Each incomplete application shall be returned to the applicant.

(c) Any permittee may possess, sell, transport, or trade those species of fish as authorized under K.A.R. 115-17-12.

(d) Each permittee shall maintain a current record of activity and shall submit monthly reports to the department on forms provided by the department. The reports shall be submitted not later than 15 days following the end of the month for which the report is prepared. A permit shall not be renewed until all reports due have been received by the department.

(e) Any permittee may sell fish taken under a commercial fishing permit to any person.

(f) Any person may purchase fish from a commercial fish permittee for commercial purposes or for personal use.

(g) Each person purchasing fish from a commercial fish permittee for resale purposes shall retain a bill of sale in possession while in possession of the fish.

(h) In addition to other penalties prescribed by law, a commercial fishing application or permit may be denied or revoked by the secretary if any of the following conditions is met:

(1) The application is incomplete or contains false information.

(2) The permittee fails to meet permit requirements or violates permit conditions.

(3) The permittee violates any provision of law or regulations related to commercial fishing on the Missouri River.

(i) Each commercial fishing permit shall expire on December 31 of the year for which the permit was issued. This regulation shall be effective on and after January 1, 2012. (Authorized by and im-



plementing K.S.A. 32-807 and K.S.A. 32-941; effective May 27, 1991; amended Jan. 1, 2012.)

**115-17-11. Commercial harvest of fish; legal equipment and taking methods; identification tags and identification tag fee.** (a) The legal equipment and taking methods for the commercial harvest of fish shall be the following:

(1) Hoop net with a mesh size of 2.5 or more inches using the bar measurement and with individual wings and leads not to exceed 12 feet in length. There shall be no limitation on the number, net diameter, net length, twine size, or throat size of hoop nets;

(2) gill net and trammel net with a mesh size of two or more inches, using the bar measurement. There shall be no limitation on the number, net length, height, or twine size of gill or trammel nets; and

(3) seine with a mesh size of two or more inches, using the bar measurement. There shall be no limitation on the height, length, or twine size of seines.

(b) (1) Boats with or without mechanical propulsion may be used.

(2) Depth-recording or fish-locating devices may be used.

(3) Non-toxic baits may be used.

(4) Each gill net or trammel net shall be attended at all times while the gill net or trammel net is in use.

(5) Each hoop net shall be attended at least one time every 24 hours while the hoop net is in use.

(6) Commercial fishing equipment authorized in subsection (a) shall not be used in the following locations, except as authorized by the department:

(A) In any cutoff, chute, bayou, or other backwater of the Missouri river;

(B) within 300 yards of any spillway, lock, dam, or the mouth of any tributary stream or ditch; and

(C) under or through ice or in overflow waters.

(7) Holding baskets and holding cages may be used.

(c) Each net or seine shall have an identification tag supplied by the department and attached as specified by the department during commercial fishing use. Identification tags supplied by the state of Missouri and approved by the department also shall be deemed to meet this requirement.

(d) The fee for identification tags shall be five dollars for each tag. The payment shall be submitted to the department with the initial or renewal application for a commercial fishing permit.

(e) The holding basket and holding cage used to hold fish shall not require an identification tag, but shall be identified by the permittee with the permittee's name and permit number attached. This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807, K.S.A. 32-941, and K.S.A. 2010 Supp. 32-988; effective May 27, 1991; amended Sept. 27, 2002; amended Jan. 1, 2012.)

**115-17-12. Commercial harvest of fish; legal species, seasons, size restrictions, daily limits, and possession limits.** (a) The legal species of fish that may be taken under a commercial fishing permit shall be the following:

(1) Bowfin;

(2) suckers, including buffalo;

(3) common carp and exotic carp;

(4) freshwater drum;

(5) gar;

(6) shad;

(7) goldeye;

(8) goldfish; and

(9) skipjack herring.

(b) None of the following shall be possessed by a permittee while in possession of commercial fishing gear or while transporting fish taken using commercial fishing gear:

(1) All species of fish excluded from subsection (a); and

(2) any species of fish listed in K.A.R. 115-15-1 or K.A.R. 115-15-2.

The species of fish specified in this subsection shall be immediately returned unharmed to the water from which removed.

(c) There shall be no size restriction on fish taken by a permittee.

(d) There shall be no maximum daily or possession limit on the number of fish taken by a permittee.

(e) No live specimen of bighead carp, silver carp, or black carp may be transported after commercial harvest. This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective May 27, 1991; amended Sept. 27, 2002; amended Jan. 1, 2012.)

## Article 18.—SPECIAL PERMITS

**115-18-7. Use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities; application, permit, and general provisions.** (a) Each perma-

nently disabled person qualified to hunt deer, antelope, elk, or wild turkey with a crossbow and desiring to obtain a crossbow and locking draw permit shall apply to the secretary on forms provided by the department. Each applicant shall provide the following information:

- (1) Name of applicant;
- (2) address;
- (3) a physician's signed report, on forms provided by the department, describing the permanent disability and certifying the applicant physically incapable of using a bow; and
- (4) other relevant information as required by the secretary.

(b) Each person with a temporary disability who would be qualified to hunt deer, antelope, elk, or wild turkey with a crossbow if the disability were permanent and who desires to obtain a temporary crossbow and locking draw permit shall apply to the secretary on forms provided by the department. Each applicant shall provide the following information:

- (1) Name of applicant;
- (2) address;
- (3) a physician's signed report, on forms provided by the department, describing the disability, certifying the applicant physically incapable of using a bow, and estimating the time period that the person is likely to be subject to the disability; and
- (4) other relevant information as required by the secretary.

Each temporary permit shall expire no more than three years from the date of issuance and shall state the expiration date on the face of the permit.

(c) Any applicant may be required by the secretary to obtain, at the department's expense, a report from a second physician chosen by the secretary.

(d) A crossbow and locking draw permit or temporary permit may be refused issuance or may be revoked by the secretary for any of the following reasons:

- (1) The disability does not meet qualifications for the permit.
- (2) The application is incomplete or contains false information.
- (3) The disability under which the permit was issued no longer exists.

(e) A crossbow and locking draw permit or temporary permit shall be valid statewide.

(f) Any crossbow and locking draw permittee may use a crossbow or bow equipped with a lock-

ing draw for hunting deer, antelope, elk, or wild turkey during any archery season established by the secretary for the big game species or wild turkey being hunted by the permittee. This provision shall be subject to the applicable regulations governing archery hunting of that big game species or wild turkey, including possession of a valid hunting permit issued by the department for that big game species or wild turkey, if required.

(g) Legal equipment for hunting any big game or wild turkey by crossbow shall consist of the following:

(1) Crossbows of not less than 125 pounds of draw weight;

(2) arrows not less than 16 inches in length, equipped with broadhead points incapable of passing through a ring with a diameter smaller than three-quarters of an inch when fully expanded;

(3) lighted pin, dot, or holographic sights attached to the bow, but no other electronic or chemical device attached to the crossbow or arrow;

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light; and

(5) range-finding devices, if the system does not project visible light toward the target.

(h) Legal equipment for hunting any big game or wild turkey using a bow equipped with a locking draw shall consist of legal archery equipment as specified in K.A.R. 115-4-4, except that the bow may have a mechanical device that locks the bow at full or partial draw.

(i) Any person may assist the holder of a crossbow permit or a temporary crossbow permit during the permittee's hunting activity. A person assisting a holder of a permit shall not perform the actual shooting of the crossbow for the permittee.

(j) A big game or wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys or big game animals. (Authorized by K.S.A. 32-807, K.S.A. 2009 Supp. 32-919, and K.S.A. 2009 Supp. 32-932; implementing K.S.A. 2009 Supp. 32-932; effective Oct. 30, 1989; amended, T-115-9-9-97, Sept. 9, 1997; amended Dec. 29, 1997; amended Oct. 1, 1999; amended April 19, 2002; amended Feb. 18, 2005; amended April 11, 2008; amended May 21, 2010.)

## **115-18-20. Tournament black bass**

**pass; requirements, restrictions, and pass duration.** (a) A tournament black bass pass shall be required for each individual who wants to keep up to two black bass in a daily creel limit that meet the minimum statewide length limit but that do not meet the special length limit for the specific body of water, or who wants to cull black bass after the daily creel limit has been met, during a weigh-in bass tournament as established in K.A.R. 115-7-9.

(b) Each tournament black bass pass shall be valid statewide through December 31 of the year in which the bass pass is issued.

(c) Each tournament black bass pass shall be validated by the signature of the pass holder written across the face of the pass. A tournament black bass pass shall not be transferable. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 2009 Supp. 32-1001, and K.S.A. 2009 Supp. 32-1002; effective Nov. 27, 2006; amended Nov. 16, 2007; amended Nov. 19, 2010.)

#### **Article 20.—MISCELLANEOUS REGULATIONS**

**115-20-7. Doves; legal equipment, taking methods, and possession.** (a) Legal hunting equipment for doves shall consist of the following:

- (1) Shotguns that are not larger than 10 gauge, use shot ammunition, and are incapable of holding more than three shells in total capacity;
- (2) pellet and BB guns;
- (3) archery equipment;

- (4) crossbows;
- (5) falconry equipment;
- (6) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light; and
- (7) blinds, stands, calls, and decoys, except live decoys.

(b) The use of dogs shall be permitted while hunting.

(c) Any type of apparel may be worn while hunting doves.

(d) Legally taken doves may be possessed without limit in time and may be given to another if accompanied by an attached, dated written notice that includes the donor's printed name, signature, address, the total number of birds, the dates the birds were killed, and permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 2008 Supp. 32-1002; effective Nov. 20, 2009.)

#### **Article 30.—BOATING**

**115-30-13. Removal of vessels from waters of the state.** The livewells and bilges shall be drained and the drain plugs removed from all vessels being removed from the waters of the state before transport on any public highway of the state.

This regulation shall be effective on and after January 1, 2012. (Authorized by and implementing K.S.A. 32-807; effective Jan. 1, 2012.)